

<b>Agenda Item</b>	<b>16</b>
<b>Report No</b>	<b>HC/27/20</b>

**Committee:** The Highland Council

**Date:** 10 September 2020

**Report Title:** 2020 Review of Electoral Arrangements – Highland Council

**Report By:** ECO Performance & Governance

## **1. Purpose/Executive Summary**

1.1 The Local Government Boundary Commission for Scotland wrote to the Chief Executive on the 16 July 2020 with the proposals for revised electoral arrangement for Highland from 2022. The Council is being consulted for a period of 2 months ending 30 September 2020 before the Commission launches a public consultation.

## **2. Recommendations**

2.1 Members are asked to:

1. Reject these proposals in their entirety as they stand;
2. Agree to approach the Boundary Commission to change their recommendations to more appropriately reflect the requirements of a large local authority that has a mixture of urban, rural and island wards;
3. Agree to approach the Scottish Government to review the remit of the Boundary Commission in regard to rural Authorities to lift the cap on total councillor numbers and provide for greater discretion in the application of parity ratios.

## **3. Implications**

3.1 There are no financial implications.

3.2 Rural and Community implications: The proposals adversely affect rural areas in particular, Caithness, Sutherland, Wester Ross and Eilean a' Cheò which would all see a reduction in member representation. The proposals overall show a reduction from 74 to 72 members and will be in place as of the May 2022 full Council election.

A reduction in councillors will have a significant detrimental impact on rural communities. Councillors will be required to cover even larger geographic areas with no reduction in the number of community councils, schools or community groups and initiatives seeking engagement with their local councillor, resulting in a democratic deficit for the communities in question.

3.3 Gaelic implications: With the ongoing threat to the Gaelic Language and Skye & Raasay home to 2 of the Gaelic strongholds in Highland, the current proposal, poses a further risk to the Gaelic language by weakening the democratic support.

3.4 There are no Legal, Climate Change/ Carbon Clever or Risk implications

#### **4. Timetable**

4.1 Highland Council was last reviewed in 2015 and reported in 2016 during the 5<sup>th</sup> Review of Electoral Arrangements. A further review is now required under the Islands (Scotland) Act 2018. This Act recognises the importance of the Scottish Islands and the opportunities and challenges they face.

4.2 The second period of consultation is due to be completed by the end of December this year and the Boundary Commission aim to report their final proposals to Scottish Ministers by May next year. If approved the new boundaries and member representation will be used for the next full Council elections in May 2022.

#### **5. Legislative context**

5.1 The Commission works under the Local Government (Scotland) Act 1973 which states “the number of electors per councillor in each ward shall be, as nearly as may be, the same ....” Under that Act Scottish Ministers may give direction generally or in relation to a review.

5.2 The different ratios adopted by the Commission for the 5th Reviews and this review, come from feedback to a consultation the Commission conducted in 2011. The Commission have used a parity ratio of 2800:1 electors to each member for Highland whilst they apply an 800:1 parity ratio for the three Islands Authorities. The Boundary Commission has some discretion in this matter and agreed a final Highland parity ratio in 2016 of 2458:1.

#### **6. Member Engagement**

6.1 All Members received a copy of the proposals by e-mail on the 16th July 2020 and the Election Manager has met with Members on a ward/area basis from 5 to 27 August 2020 to discuss the proposals at a local level. At the Council meeting in July it was agreed that a Cross Council Working Group should be set up to consider the response to the proposals. A number of meetings have been held subsequently, the most recent held on 1 September, and this report reflects the conclusions reached by the Group.

6.2 The Council and individual Members will have second opportunity to comment formally on the proposals during the public consultation which will commence in the Autumn.

#### **7. Proposed response**

7.1 The Cross Party Group has taken a very strong position that the changes proposed by the Boundary Commission fail to recognise the specific Highland context, particularly in

relation to parity, sparsity, rurality and deprivation and, if implemented, would result in significant democratic deficit and in a way that is at odds with the purpose of the boundary review which was meant to be specifically focused on reflecting the requirements of the Islands (Scotland) Act. It is therefore recommended that the proposals should be rejected in their entirety and an urgent meeting should be requested with the Boundary Commission to discuss to what extent they can use the flexibility that is at their discretion to change their proposals. At a minimum, this should ensure no reduction in the total number of elected members in Highland, but still more importantly, to press for the number of members to increase where there are clearly increases in population that warrant it; where large geographic wards require additional members to ensure appropriate levels of democratic representation; and to ensure there is parity across Scotland in terms of island representation. Fundamentally, increases in one area of Highland should not result in decreases in another.

- 7.2 Although the Commission has discretion to vary parity ratios, it is unclear just how much flexibility the Commission is able to employ. Furthermore, it is known that the most recent ministerial direction to the Commission was that, overall, the total number of councillors in Scotland should not be increased. Therefore, it is also proposed that the Council press the Scottish Government to lift the cap on councillor numbers and to review the remit of the Commission with regard to rural Authorities so that if needed, the regulations are amended by Statutory Instrument to allow the Commission exercise greater variation in the application of parity ratios. To this end, it is recommended that the Leader writes to the Cabinet Secretary for Communities and Local Government, Aileen Campbell, to seek an urgent meeting to press the case.

Designation: ECO Performance & Governance

Date: 02.09.20

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Background Papers:

Islands (Scotland) Act 2018

Scottish Electoral (Reform) Act 2020

[http://www.lqbc-scotland.gov.uk/sites/default/files/LGBCS\\_2527\\_\(Highland\\_Review\).pdf](http://www.lqbc-scotland.gov.uk/sites/default/files/LGBCS_2527_(Highland_Review).pdf)

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