

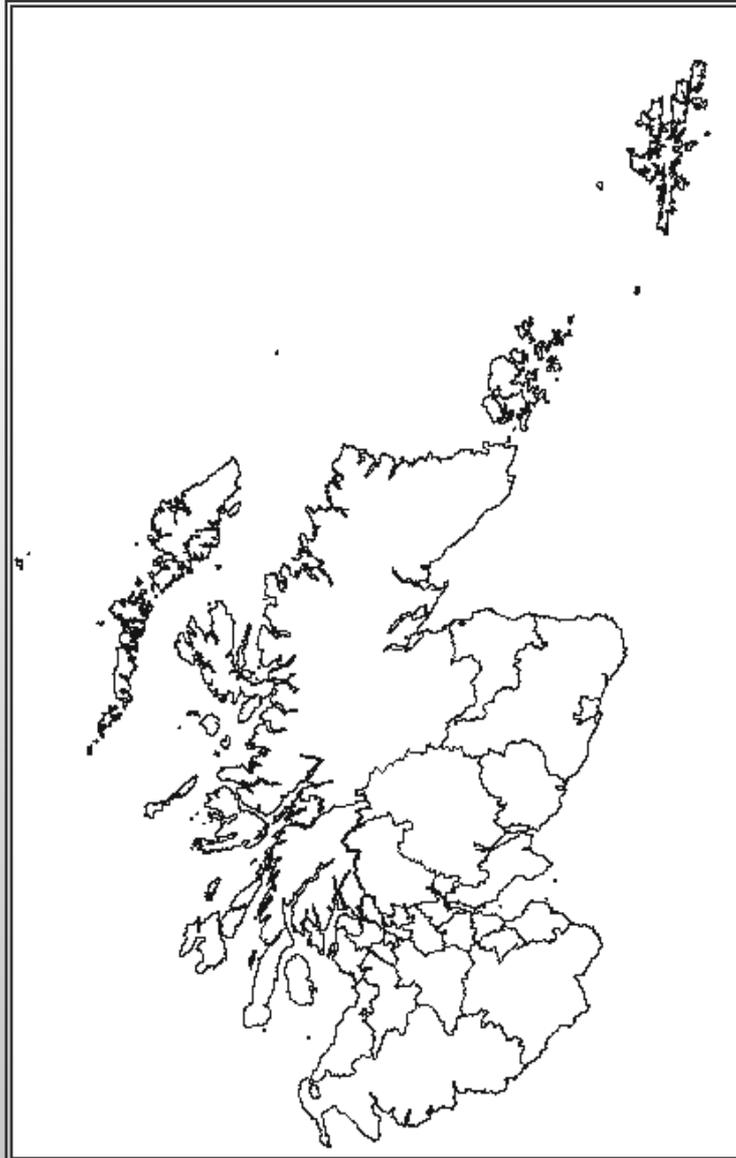


Local Government Boundary Commission for Scotland

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Annual Report 2010-11



www.lgbc-scotland.gov.uk

established by Parliament to advise Ministers on local government boundaries

Chairman's foreword

The Commission's workload during 2010-11 has continued to be light, but we have undertaken work which will stand us in good stead in the future.

At the end of 2009-10, we submitted our report on our review of the administrative area boundary between East Dunbartonshire and Glasgow City council areas. We are pleased to note that as a result, an Order implementing our recommendations came into force on 1 April 2011.

We have carried out a small series of Interim Reviews of electoral arrangements in different parts of Scotland, and are about to submit our resulting recommendations to Scottish Ministers. A desk exercise revealed a very small number of cases where there seemed a prima facie case for an interim review, on which we then consulted the relevant local authorities. If our recommendations are implemented we are satisfied that the electoral arrangements across Scotland will remain appropriate for the local government elections in May 2012.

Looking further ahead, we have been conducting a consultation on how we should determine the number of councillors in each council across Scotland when we conduct our next series of General Reviews of electoral arrangements, which we expect to begin in 2013 and to be completed in time to be effective for the next local government elections in 2017. The consultation will provide us with a basis on which to develop our approach to this early and fundamental stage in any review of electoral arrangements.

We were very pleased to welcome the various UK Boundary Commissions to Edinburgh in November 2010 for their annual meeting, which we hosted in conjunction with our colleagues in the parliamentary Boundary Commission for Scotland. The meeting is always a valuable exchange of information and ideas between those involved in comparable tasks in the diverse component parts of the United Kingdom.

The membership of the Commission continues unchanged, with the appointments of myself, Brian Clark and Paula Sharp having been renewed until 2013 during the year.

We look forward to our continuing tasks.



Peter Mackay CB
Chairman, Local Government Boundary Commission for Scotland
May 2011



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This report covers the period 1 April 2010 to 31 March 2011. Copies are available from our website (www.lgbc-scotland.gov.uk), or by request from our Secretariat.

1 The Commission

1.1 Background

The Local Government Boundary Commission for Scotland was established by the Local Government (Scotland) Act 1973. Our duties and powers are detailed in the 1973 Act, and in Schedule 1A to the National Health Service (Scotland) Act 1978. We are responsible for:

- reviews of local authority areas in Scotland;
- reviews of electoral arrangements for local authorities; and
- advising on electoral wards for elections to Health Boards.

We are an advisory Non-departmental Public Body (NDPB) sponsored and wholly funded by the Scottish Government: responsibility for the Commission within Scottish Government lies with the Referendums and Elections Division. We are an independent and non-political body.

1.2 Membership

The 1973 Act specifies that our membership comprises a Chairman, Deputy Chairman and up to four further Commissioners.

Members are appointed on a term basis and posts are filled through open competition using the procedures laid down by the Office of the Commissioner for Public Appointments in Scotland. Appointments are made by Scottish Ministers.

1.2.1 Chairman

The Chairman is Peter Mackay, CB who was re-appointed during the year for a second 3 year term ending on 31 October 2013, having originally been appointed for 3 years starting on 1 November 2007.

1.2.2 Deputy Chairman

The Deputy Chairman is William Magee, OBE who was appointed with effect from 1 September 2008 for a 4 year term ending on 31 August 2012.

1.2.3 Commissioners

There are currently 3 Commissioners in addition to the Chairman and Deputy Chairman.

- Kenneth McDonald was re-appointed for a second 4 year term ending on 23 May 2012, having been initially appointed for a 4 year term on 24 May 2004;
- Professor Brian Clark was re-appointed during the year for a second 3 year term ending on 31 October 2013, having been initially appointed for a 3 year term starting on 1 November 2007;
- Mrs Paula Sharp was re-appointed during the year for a second 3 year term ending on 31 October 2013, having been initially appointed for a 3 year term starting on 1 November 2007;

Mr McDonald and Mrs Sharp are also members of the parliamentary Boundary Commission for Scotland, and we find that having members in common is very helpful.

1.3 Meetings

We met on 4 occasions in 2010-11. Minutes of meetings are placed on our website.

On 3 and 4 November 2010, we co-hosted with the parliamentary Boundary Commission for Scotland the annual meeting of UK Boundary Commissions which was held in Edinburgh. The meeting had originally been planned for April 2010, but unfortunately, due to widespread travel disruption at that time, it had to be postponed. The meeting provided an excellent chance for the Commissions to learn from each other's experience.

1.4 Code of Conduct

We have a Code of Conduct issued in 2006 by Scottish Ministers under the Ethical Standards in Public Life etc (Scotland) Act 2000. In May 2008, we agreed and published a Supplementary Code on Roles and Responsibilities which expands on certain areas in the Code of Conduct in the light of our role, and provides guidance to Commissioners.

The Code of Conduct and the Supplementary Code on Roles and Responsibilities are available on our website, or a copy can be provided on request.

1.5 Register of Commissioners' Interests

We maintain a Register of Interests of Commissioners, in accordance with the Commissioners' Code of Conduct. The Register of Interests is available on our website, or a copy can be provided on request.

2 Secretariat

We are supported by a small Secretariat. Schedule 4 to the Local Government (Scotland) Act 1973 provides that Scottish Ministers may appoint a Secretary to the Commission, after consultation with us. The Secretary, who is the Secretariat's senior officer, is normally a civil servant assigned from the Scottish Government.

The work of the Secretariat includes:

- facilitating boundary reviews;
- dealing with the everyday administrative matters relating to our business such as finance, purchasing and accommodation;
- liaising with other UK Commissions and government departments with an interest in boundary matters; and
- responding to general and other correspondence concerning boundary issues.

The Secretariat is headed by the Secretary, Dr Hugh Buchanan, who has been in post since October 2007.

Staff of the Secretariat are assigned from the Scottish Government. The number of staff assigned is dependent on the volume of review activity and the need to develop, maintain and update information systems and respond to enquiries etc. During the year 2010-11, the assignment of Secretariat staff to support this Commission was as follows:

Post	Full-time equivalent
Secretary	0.50
Casework Managers	1.13
Casework Officers	0.00
IT Manager	0.50
General Office Manager	0.50
Total	2.63

Staff members are employed on a full-time basis, with their time allocated between support for us and for the Boundary Commission for Scotland which is responsible for reviewing constituency boundaries for the United Kingdom Parliament and constituencies and regions for the Scottish Parliament. The Secretariat is funded separately by the Scotland Office for that work.

3 Governance

3.1 Legislation

Our local government work is governed by sections 12 to 28 of and Schedules 4 to 6 to the Local Government (Scotland) Act 1973 as amended. There were no amendments to that legislation during the year.

Our work on Health Board elections is governed by Schedule 1A to the National Health Service (Scotland) Act 1978. There were no amendments to that legislation during the year.

The text of the legislation is available on our website, or a copy can be provided on request.

3.2 Direction from Ministers

We continued to work within a Direction issued by Scottish Ministers which came into force on 1 April 2008. The Direction instructs us not to undertake a review of any local government area between 1 April 2008 and 31 March 2011, other than a review which potentially directly affects not more than 300 electors, unless directed by Ministers to do so.

Section 14(1) of the Local Government (Scotland) Act 1973 requires us to carry out a review of all administrative area boundaries every 8 to 12 years after 1996. Scottish Ministers have issued a Direction to us instructing us not to carry out any such reviews in the period to 31 March 2012.

3.3 Outcome based approach

In line with the Scottish Government's intention that all public bodies should align the outcomes of their activity with the Government's stated Purpose, we have reviewed the associated National Outcomes, and concluded that our work should contribute to the following National Outcomes:

- *NO10 - We live in well-designed, sustainable places where we are able to access the amenities and services we need.*
- *NO11 - We have strong, resilient and supportive communities where people take responsibility for their own actions and how they affect others.*
- *NO14 - We reduce the local and global environmental impact of our consumption and production.*

- *NO15 – Our public services are high quality, continually improving, efficient and responsive to local people’s needs.*

NO10 and NO11 reflect the desired result from successful definition of local government boundaries where access to services is supported, and communities feel that boundaries support and reflect their communities of interest.

NO14 reflects the environmental desirability of effective use of resources.

NO15 reflects the way in which well-designed administrative boundaries support the effective delivery of local government services. In addition, it reflects our aspiration to conduct our work efficiently and effectively, and in a way which involves the public.

3.4 Management Statement and Financial Memorandum

We have a Management Statement and Financial Memorandum with the Scottish Government. The Management Statement sets out the broad framework within which we operate, while the Financial Memorandum sets out certain aspects of the financial framework in greater detail. The Management Statement and Financial Memorandum is available on our website, or a copy can be provided on request.

3.5 Data protection

We handle personal information in conformance with the Data Protection Acts, and we have notified the Information Commissioner's Office of the personal data which we handle.

3.6 Equality issues

We have an Equality Statement setting out our approach to equality and diversity issues. The Statement is available on our website, or a copy can be provided on request.

3.7 Public Services Reform (Scotland) Act 2010

The Public Services Reform (Scotland) Act 2010 came into force on 1 October 2010. The Act introduces additional reporting requirements for Scottish public bodies. For ease of reference, we have placed all of the information required in Appendix A.

4 Enquiries and public information

We use our website to inform the public about our work. In addition, the Secretariat responds to requests for information made by email, letter or phone.

4.1 Information Papers

During the year, we have added a further Information Paper to our series. The new paper is entitled *Electoral Reviews: guidance*, and provides an overview and explanation of our electoral reviews.

During the year, we have also published 2 Quick Guides which provide a brief introduction to electoral reviews and to local government in Scotland, and direct readers to our Information Papers if they want further information.

The full set of Quick Guides and Information Papers is available on our website.

4.2 Enquiries

We have a publication scheme under the Freedom of Information (Scotland) Act 2002. The scheme was approved by the Scottish Information Commissioner in 2004 for 4 years, and that approval has been extended by the Scottish Information Commissioner to 31 May 2011. We review the scheme from time to time to ensure it remains relevant. The Scheme is available on our website, or a copy can be provided on request.

During 2010-11, the Secretariat received and responded to 35 enquiries relating to us and our work. Of these, 6 stated that they were being made under the Freedom of Information (Scotland) Act. No requests for review or appeals to the Scottish Information Commissioner were made regarding our handling of information requests. Enquiries are reviewed to assess whether they indicate possible improvements or additions to our website. As an example, during this year a section on *Data for GIS* has been added to the Frequently Asked Questions page on our website.

4.3 Website

Our website remains a primary means for us to make information available. We update the website with all material which we publish.

4.4 Minutes of meetings

We publish the minutes of our meetings in draft form on our website, after approval by the Chairman. On occasion, we may decide that, for reasons of confidentiality or other sensitivities, full disclosure of our discussions should not be made at the draft stage. Once we have considered and finalised the minutes at our following meeting, the finalised minutes are placed on the website in place of the draft.

5 Review activity

5.1 Administrative area reviews

We submitted our report (Report number A10001) on our review of the administrative area boundary between East Dunbartonshire and Glasgow City council areas at Princes Gate and Greenacres by Robroyston in March 2010. As a result, Scottish Ministers introduced an Order to the Scottish Parliament in October 2010, implementing our recommendations in full. The resulting Statutory Instrument (SSI 2010/353) came into force on 1 April 2011.

We have not conducted any other administrative area reviews during 2010-11.

5.2 Electoral reviews

5.2.1 Interim reviews

During this year, we have conducted a series of 8 Interim Reviews of electoral arrangements. These reviews arose from an assessment of the electorates of all 353 wards in Scotland which we began in 2009-10. The purpose of the assessment was to look at the electorate per councillor for each ward, which is one of the key legislative requirements for our electoral reviews, and compare it with the average for the council area.

When we did so, we found 10 wards spread across 8 different council areas where there was a significant disparity between the electorate per councillor for that ward and the average electorate per councillor for that council. Those wards were:

Council area	Ward
Aberdeen City	Ward 6 (Tillydrone / Seaton / Old Aberdeen) Ward 7 (Midstocket / Rosemount) Ward 8 (George St / Harbour)
Dundee City	Ward 3 (West End)
City of Edinburgh	Ward 11 (City Centre)
Fife	Ward 11 (Kirkcaldy North)
Glasgow City	Ward 10 (Anderston / City)
Perth and Kinross	Ward 11 (Perth City North)
South Lanarkshire	Ward 17 (Hamilton North and East)
West Lothian	Ward 8 (Bathgate)

We examined the circumstances in each of these wards to see what action was appropriate in response to these disparities.

We recommended that the number of councillors in West Lothian ward 8 should be increased from 3 to 4, while leaving the ward boundaries unaltered. In each of the other cases, when we considered all of the circumstances, we made an Interim Decision not to recommend any change to the electoral arrangements.

We consulted on those recommendations and Interim Decisions for a 3 month period between November 2010 and February 2011, and after considering all the representations received, we confirmed them and will be reporting accordingly to Scottish Ministers.

Scottish Ministers will decide whether and how to implement our recommendations.

5.2.2 Determination of councillor numbers

It is likely that the Fifth General Reviews of electoral arrangements for all council areas will have to be completed in time for the local government elections scheduled for 2017, which will be 20 years since the last reorganisation of local government in 1996. We first introduced a methodology for determining the number of councillors for councils in Scotland in 1996, which we applied to the Third General Reviews of electoral arrangements which we conducted between 1996 and 1998.

We concluded during the year that in preparation for the start of the Fifth General Reviews, we should gather views on how we should determine councillor numbers during the Fifth General Reviews, taking into account the changes that local government has experienced since 1996.

As a result, in January 2011, we issued a consultation paper which asked for views on a series of broad issues:

- should there be more or fewer councillors in Scotland?
- should there be a maximum and a minimum for the number of councillors on a council?
- should the Commission use a uniform methodology to determine councillor to elector ratios?

- are there factors other than electors per councillor that might be taken into account in determining councillor numbers?
- should councils be categorised for the purpose of setting councillor numbers, and if so how?

Once we have gathered views through consultation, we will develop our process for recommending councillor numbers, and consult further on that before finalising the methods to be used for the Fifth Reviews.

6 Other activities

6.1 Accommodation and IT provision

The Secretariat moved in May 2010 to Thistle House, near Haymarket, Edinburgh on the expiry of the lease on the previous office. The new accommodation is more modern than the previous office, and has reduced the office running costs substantially. Thistle House is a Scottish Government office. In specifying and designing the office accommodation, the Secretariat has ensured that our independence from Scottish Government remains clear. The Secretariat has reviewed IT provision subsequent to the move, and has concluded that in the new office, the case for moving to an externally-managed IT service is not strong. As a result, the Secretariat has renewed part of its internally-managed IT infrastructure, by purchasing new desktop computers for staff, replacing machines that were a number of years old.

6.2 Risk Management

We have developed a Risk Management policy covering our work and the work of the parliamentary Boundary Commission for Scotland.

6.3 Staffing and training

During the year, the Secretariat has recruited permanent staff to a number of posts which were either vacant or filled by temporary staff. These staff will initially be engaged primarily in support of the parliamentary Boundary Commission for Scotland. For existing staff, training has continued to meet staff and review requirements.

6.4 Liaison with others

6.4.1 Scottish Government

We continue to have regular contact and dialogue with our sponsor department within the Scottish Government. The Secretariat has also participated regularly in a liaison group of Scottish Government GIS users.

6.4.2 Ordnance Survey

The Secretariat continues to work with Ordnance Survey to ensure that we have access to the optimum set of mapping data products to support our work, and that we receive technical advice in the deployment of those products. The Secretariat and Ordnance Survey continue to work together to ensure the smooth flow of accurate information about our decisions, so that they can be included in Ordnance Survey's products. The licensing of Ordnance Survey data to Scottish public bodies is covered by an agreement known as the One Scotland Mapping Agreement, and the Secretariat has participated actively in the management and implementation of that agreement.

6.4.3 National Records of Scotland

The Secretariat liaises regularly with staff of the National Records of Scotland (formerly the General Register Office for Scotland) on shared interests concerning geographic information and electoral statistics.

6.4.4 Office for National Statistics

The Secretariat continues to liaise with the Office for National Statistics (ONS).

6.4.5 Other organisations

The Secretariat has maintained its contacts with the Association of Electoral Administrators, the Scottish Assessors' Association Electoral Registration Committee, the Society of Local Authority Lawyers & Administrators in Scotland (SOLAR) and the Society of Local Authority Chief Executives (SOLACE), the Electoral Commission and other UK Boundary Commissions. This has been through attendance at meetings of the Scottish and Northern Ireland Branch of the Association of Electoral Administrators, the Electoral Commission's Political Parties Panel in Scotland, liaison meetings with other UK Boundary Commissions and email correspondence.

7 Expenditure

Our expenditure for the year 2010-11 is set out under broad headings in the table below. After setting the initial budget, the Secretariat re-forecasts expenditure during the year, and keeps the sponsor department informed of the likely expenditure for the year.

Financial Performance April 2010 - March 2011		
	Expenditure	
	Budget (£)	Actual (£)
Staff Salaries	82,769	101,766
Commissioners' Fees	8,000	4,537
Accommodation	26,000	23,175
Administration	30,000	19,789
Mapping	40,000	39,097
Travel and Subsistence	2,000	1,871
Review costs	19,200	7,081
Total	207,969	197,316

7.1 Staff salaries

The Scottish Government determines staff salaries.

7.2 Commissioners' fees

Commissioners' fees are determined by the Scottish Government and cover attendance at our scheduled meetings and associated preparation, meetings held with other UK Boundary Commissions and ad hoc meetings held with other bodies. Commissioners' fees are paid on a daily basis for each meeting. The fee rates during the year 2010-11 for Commissioners have remained unchanged and are:

Chairman	£347 per day
Deputy Chairman	£250 per day
Commissioner	£217 per day

7.3 Accommodation

We share accommodation with the Boundary Commission for Scotland, which is responsible for advising the Secretary of State for Scotland on matters relating to parliamentary constituency boundaries. The figures shown in the above table in respect of accommodation reflect our share of rent, business rates, utilities and services such as insurance, management fees and office cleaning.

7.4 Administration

Administration costs include office equipment and furniture, stationery and other consumables, telephone, facsimile and e-mail, publications and advertising, staff and Commissioner training and computer software maintenance, support and licence fees.

7.5 Mapping

Mapping costs cover data licences and consumables. The chief item under this heading is the Secretariat's contribution to a collective licence between Scottish public bodies and Ordnance Survey for the use of its spatial data products.

7.6 Travel and subsistence

Travel and subsistence includes rail, air and car-hire costs incurred by the Secretariat and Commissioners in the course of official business, such as site visits required in conjunction with administrative review activities. Travel and subsistence costs are paid at the same rate that applies to staff of the Scottish Government.

7.7 Review costs

Review costs cover those items directly attributable to the conduct of our boundary reviews, and include newspaper advertising and printing.

8 Work programme for 2011-12

Our planned activities for 2011-12 are set out in our Corporate Plan for the period 2011-14 which is available on our website, and are summarised here.

8.1 Review activity

Administrative area reviews

We will conduct minor reviews of administrative areas as required. As at March 2011, we are not aware of any cases where such a review will be required.

Local government electoral reviews

We will consider any requests for interim reviews and respond. In preparation for our Fifth General Reviews of electoral reviews (due to start during 2013-14), we are conducting a consultation on the appropriate means of determining the number of councillors on each council. The consultation will engage with existing local authorities and members of the public.

Health Board ward reviews

No activity expected.

8.2 Other activity

During the year, the Secretariat will continue to carry out a range of activities in support of our role, including:

- improving and extending our published information explaining its work;
- liaising with other UK Boundary Commissions;
- providing ongoing training as appropriate to meet staff and review requirements;
- maintaining contact with Ordnance Survey and other relevant bodies on boundary related issues;
- maintaining links with organisations involved with electoral matters; and
- continuing to meet all financial and other requirements of our Financial Memorandum and other key sponsorship documents.

9 Further information

If you have a query which cannot be answered by this report or our website (www.lgbc-scotland.gov.uk) please do not hesitate to contact us either by e-mail, telephone or in writing. Please see the front page of this report for our contact details.

Appendix A - specified reporting

Part 3 of the Public Services Reform (Scotland) Act 2010 came into force on 1 October 2010, and requires public bodies to publish specified items of information at the end of each financial year. This Appendix provides that information.

Expenditure

The Act requires us to report expenditure on the following items:

Expenditure item	Outcome
Public relations	nil
Overseas travel	nil
Hospitality and entertainment	£1,149
External consultancy	nil

Public relations

In the course of our reviews we advertise our proposals through public notices in newspapers. We do not consider that this constitutes public relations expenditure.

Hospitality and entertainment

Our expenditure on hospitality and entertainment during the year mainly comprised the costs of co-hosting, with the parliamentary Boundary Commission for Scotland, the annual meeting of the United Kingdom Boundary Commissions in Edinburgh. This comprised providing a dinner and a lunch for attendees, as well as meeting rooms. The responsibility for hosting this event falls jointly on us and the parliamentary Boundary Commission for Scotland approximately once every 4 years. The figure recorded is for the Local Government Boundary Commission for Scotland's 50% share of the cost of the meeting (£982), plus light refreshments at Commission meetings during the year totalling £167.

Expenditure in excess of £25,000

The Act requires us to publish details of any payment made during the year in excess of £25,000.

We make extensive use of mapping in our work, using data licensed from Ordnance Survey through the One Scotland Mapping Agreement (OSMA), a collective agreement negotiated on behalf of public bodies in Scotland by Scottish Government. Our contribution to this for the year was £39,000, paid to Scottish Government in October 2010.

Remuneration above £150,000

The Act requires us to publish details of any Commissioners or staff remunerated above £150,000 during the year: there were no such individuals.

Sustainable growth

The Act requires us to publish a statement on the steps taken to promote and increase sustainable growth through the exercise of our functions.

We align our work with the Scottish Government's purpose of delivering sustainable growth through identification of the relevant National Outcomes to which our work contributes, as reported in section 3.3.

Efficiency, economy and effectiveness

The Act requires us to publish a statement on the steps taken to improve efficiency, economy and effectiveness in the exercise of our functions.

Scottish Government encourages improvement of efficiency, economy and effectiveness through shared services. We participate in shared services through:

- occupation of Scottish Government owned and managed office accommodation;
- shared Secretariat with the parliamentary Boundary Commission for Scotland;
- use of Scottish Government contracts for purchase of supplies and services, including stationery, computers, newspaper advertising, and temporary staffing.

Use of collaborative contracts in this way realised cash savings of £2,243 across the Secretariat during 2010-11.

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