

REPORT TO: East Lothian Council

MEETING DATE: 22 April 2014

BY: Depute Chief Executive (Resources and People Services)

SUBJECT: Boundary Commission Review – Response to Statutory Consultation

1 PURPOSE

- 1.1 To inform the Council of the Boundary Commission's intention to carry out a review of Local Government Electoral Arrangements including the appropriate number of councillors for each Council based on deprivation and population distribution.
- 1.2 As part of the ongoing review being carried out by the Local Government Boundary Commission for Scotland, to inform Council of the proposal to reduce the number of councillors in East Lothian from 23 to 21.
- 1.3 To seek authority to respond to the consultation opposing the proposal to reduce councillor numbers in East Lothian challenging the Commission's methodology and in particular the use of deprivation as a key determining factor.

2 RECOMMENDATIONS

- 2.1 To note the Commission's proposal to reduce councillor numbers in East Lothian from 23 to 21.
- 2.2 To authorise officers to respond to the consultation on the basis that there should be no reduction in the number of councillors in East Lothian and to challenge the use of deprivation as a key determining factor.
- 2.3 To invite Members to make any further suggestions as to what they feel should be incorporated into the response to the Commission.

3 BACKGROUND

- 3.1 The Commission is required to conduct a review of each local authority at intervals of 8-10 years. The last reviews were carried out between

2004 and 2006. When making its recommendations it must consider fixed criteria:-

- The number of electors per councillor in each ward should be, as nearly as may be, the same;
- Subject to this it will have regard to:
 - Local ties that would be broken by fixing a particular boundary; and
 - The desirability of fixing boundaries that are easily identifiable

3.2 As part of its methodology for the current review the Commission has for the first time categorised each Council on the basis of levels of deprivation and population distribution rather than solely on population distribution. It consulted on what factors in addition to electorate per councillor should be incorporated into its methodology in 2011. It has decided to use deprivation as a factor in determining council size because “we believe it is a reasonable indicator for a range of factors that impact on council services and on the work of councillors. Deprivation is also used by Scottish Government when making policy decisions.” The Commission has been carrying out a series of meetings with councils across the country to discuss the review. Officers from the Commission met with the Leader and officers and Elected Members who are part of the Council’s own working group on 24 March 2014. The Council has to formally respond to the initial consultation on proposed councillor numbers by 23 April 2014.

3.3 It is considered that it is inappropriate to use levels of deprivation as a factor in determining the size of a Council. There have been no Councillor Caseload studies in the last 20 years that suggest that levels of deprivation contribute significantly to a councillor’s workload.

3.4 Of the research that has been undertaken, other factors such as increases in population, particularly elderly and younger age group population affect councillors’ workload more than levels of deprivation. East Lothian had one of the highest levels of population growth between 2001 and 2011.

	2001	2011	%inc	Councillors	
East Lothian	90,100	99,700	+10.7%	23 to 21	-2

Glasgow	577,900	593,200	+2.7%	79 to 85	+6
North Lanarkshire	321,000	337,800	+5.2%	70 to 77	+7
Aberdeenshire	226,900	253,000	+11.5%	68 to 70	+2
Inverclyde	84,200	81,500	-3.2%	20 to 22	+2
Stirling	86,200	90,200	+4.7%	22 to 23	+1

3.5 If the number of councillors in East Lothian was reduced from 23 to 21 the councillor to population ratio, when considered in conjunction with population growth, would mean that East Lothian would have:-

- A greater increase in ratio than any other local authority
- The 7th highest ratio in 2018
- The 5th highest ratio in 2024
- The 4th highest ratio now only behind 3 cities and West Lothian

3.6 The SIMD (Scottish Index of Multiple Deprivation) data used to define areas of deprivation between 2004 and 2012 suggests that there is no correlation between the proposed increase or decrease in the number of councillors and the increase or reduction in deprivation across council areas. For example, there has been a significant reduction in Glasgow's share of the 15% most deprived areas but there is nevertheless a proposal to increase the number of councillors in Glasgow by six. Similarly, eight councils have a lower share of the 20% most deprived areas yet four of these are to have more councillors.

3.7 Levels of deprivation in East Lothian are increasing. The number of East Lothian areas of deprivation in the 15% most deprived areas has risen from zero in 2004 to three in 2012. This is the same as Aberdeenshire but it is proposed that Aberdeenshire councillors increase by two whereas East Lothian falls by two. 11% of East Lothian's population is income deprived. No account appears to have been taken of the hidden aspect of rural deprivation that is difficult to demonstrate but that without doubt exists within otherwise affluent areas.

3.8 Providing services to non-deprived areas can be equally and sometimes more demanding in terms of councillor workload. They are the areas where constituents are most engaged with the planning and licensing processes. They have constituents who are interested and can be very vocal in their opposition to new applications. They can readily communicate with their councillors using all forms of media and are therefore more likely to make demands on a councillor's time. Following the introduction of multi-member wards in 2007, there has been an increased incidence of coalition working which, coupled with more extensive governance and scrutiny arrangements, have placed more

responsibilities upon a wider range of members. In smaller councils, there are very few, if any, members who can be considered backbenchers.

3.9 If the number of councillors is reduced from 23 to 21, and recognising that multi-member wards must comprise either three or four members, there are only two ways to configure wards that each would have significant implications:-

- Seven three-member wards
- Three four-member wards and three three-member wards

3.10 A reconfiguration to seven three-member wards by retaining existing, well established boundaries and reducing the four-member wards to three would ironically mean that the councillor to population ratio would significantly increase in East Lothian's most deprived communities.

Ward (electorate)	Current		Proposed	
	Cllrs	Electors per Cllr	Cllrs	Electors per Cllr
Musselburgh East (10,026)	3	3,342	3	3,342
Musselburgh West (9,055)	3	3,018	3	3,018
Fa'side (14,231)	4	3,558	3	4,744
Preston/ Seton/ Gosford (14,081)	4	3,520	3	4,694
Haddington (10,222)	3	3,407	3	3,407
Dunbar & East Linton (10,115)	3	3,372	3	3,372
North Berwick Coastal (10,120)	3	3,373	3	3,373
Total (77,850)	23	3,385	21	3,707

3.11 A reconfiguration to six wards, three with four members and three with three members would require a major review of ward boundaries. This would cut across existing, well established communities, school catchment areas, local area partnerships and local natural and historical connections. It would not be in the best interests of effective local government and would breach the Commission's statutory requirement to have regard to local ties and easily identified boundaries as referred to in 3.1 of this report.

3.12 In 2004, when carrying out its last review in East Lothian, the Commission stated:-

"The Commission considered how multi-member wards might be designed and what could be done to **better reflect natural communities**. It was thought that the first step in considering how wards might be constructed could be to identify the possible extents of **perceived natural communities**. The Commission considered that this methodology would offer all those involved in the process of reviewing

electoral arrangements, the opportunity to identify areas where simply aggregating existing wards to create larger multi-member wards, might not address **local perceptions of community**. Further, it potentially offered a means of identifying building blocks which could be used for creating electoral wards. It was also thought that using the concept of 'community focus' to underpin the design of the wards might offer **more stable ward boundaries in the longer term**"

The Council concluded at that time that the best way to reflect 'natural communities, identifiable boundaries and local ties' was to use existing community council areas as the building blocks for the new ward boundaries. These community council boundaries have existed since 1976 and were based on historic parish boundaries. There was accordingly already a well established sense of community on which to build the new Council wards. School catchment areas were also largely reflected in these existing wards. Importantly, in addition, the newly formed multi-agency Local Area Partnerships also follow these existing boundaries. There would be inevitable disruption and inconvenience to our many partner agencies should there be a redrawing of ward boundaries.

It has taken some time for the public to come to terms with the concept of multi-member wards, but they are now very comfortable with the existing ward boundaries, **that are natural to them**. The Council regards its existing wards as providing **more stable ward boundaries in the longer term**.

Reduction in the number of councillors would probably result in dramatic ward boundary changes, as a result of which all of the above ties would be broken, and would lead to communities with no existing local ties being 'lumped together' without adequate justification cutting across previous advice from the Commission and going against its current criteria referred to in 3.1.

Any boundary change would also require complete redrawing of how the Council carries out its business, and would involve considerable time and effort being diverted, from core council business in times of austerity.

- 3.13 East Lothian Council has increasing levels of both population and levels of deprivation and would not be best served by the proposed reduction in the number of councillors from 23 to 21. The proposal would result in either significant electoral disparity or a major ward review and related disruption to established communities.
- 3.14 The Council requires sufficient councillors to provide effective administration, opposition and scrutiny. This is achieved at the moment with the current number of councillors but would be threatened by any reduction in councillor numbers. The proposed reduction therefore does not accord with the Boundary Commission's over all aim to act in the interests of effective and convenient local government.

4 POLICY IMPLICATIONS

4.1 None

5 EQUALITIES IMPACT ASSESSMENT

5.1 This report is not applicable to the well being of equalities groups and an Equalities Impact Assessment is not required.

6 RESOURCE IMPLICATIONS

6.1 Financial – None

6.2 Personnel - None

6.3 Other - None

7 BACKGROUND PAPERS

7.1 None

AUTHOR'S NAME	Kirstie MacNeill
DESIGNATION	Service Manager - Licensing, Administration and Democratic Services
CONTACT INFO	01620 827164 kmacneill@eastlothian.gov.uk
DATE	3/4/14