POLICY NOTE

THE ABERDEEN CITY (ELECTORAL ARRANGEMENTS) ORDER 2016: SSI 2016/265;
THE ABERDEENSHIRE (ELECTORAL ARRANGEMENTS) ORDER 2016: SSI 2016/266;
THE ANGUS (ELECTORAL ARRANGEMENTS) ORDER 2016: SSI 2016/267;
THE CLACKMANNANSHIRE (ELECTORAL ARRANGEMENTS) ORDER 2016: SSI 2016/268;
THE DUMFRIES AND GALLOWAY (ELECTORAL ARRANGEMENTS) ORDER 2016: SSI 2016/269;
THE CITY OF EDINBURGH (ELECTORAL ARRANGEMENTS) ORDER 2016: SSI 2016/270;
THE EAST AYRSHIRE (ELECTORAL ARRANGEMENTS) ORDER 2016: SSI 2016/271;
THE EAST DUNBARTONSHIRE (ELECTORAL ARRANGEMENTS) ORDER 2016: SSI 2016/272;
THE EAST LOTHIAN (ELECTORAL ARRANGEMENTS) ORDER 2016: SSI 2016/273;
THE EAST RENFREWSHIRE (ELECTORAL ARRANGEMENTS) ORDER 2016: SSI 2016/274;
THE FALKIRK (ELECTORAL ARRANGEMENTS) ORDER 2016: SSI 2016/275;
THE FIFE (ELECTORAL ARRANGEMENTS) ORDER 2016: SSI 2016/276;
THE GLASGOW CITY (ELECTORAL ARRANGEMENTS) ORDER 2016: SSI 2016/277;
THE HIGHLAND (ELECTORAL ARRANGEMENTS) ORDER 2016: SSI 2016/278;
THE INVERCLYDE (ELECTORAL ARRANGEMENTS) ORDER 2016: SSI 2016/279;
THE MIDLOTHIAN (ELECTORAL ARRANGEMENTS) ORDER 2016: SSI 2016/280;
THE MORAY (ELECTORAL ARRANGEMENTS) ORDER 2016: SSI 2016/281;
THE NORTH AYRSHIRE (ELECTORAL ARRANGEMENTS) ORDER 2016: SSI 2016/282;
THE NORTH LANARKSHIRE (ELECTORAL ARRANGEMENTS) ORDER 2016: SSI 2016/283;
THE PERTH AND KINROSS (ELECTORAL ARRANGEMENTS) ORDER 2016: SSI 2016/284;
THE RENFREWSHIRE (ELECTORAL ARRANGEMENTS) ORDER 2016: SSI 2016/285;
THE SOUTH AYRSHIRE (ELECTORAL ARRANGEMENTS) ORDER 2016: SSI 2016/286;
THE SOUTH LANARKSHIRE (ELECTORAL ARRANGEMENTS) ORDER 2016: SSI 2016/287;
THE STIRLING (ELECTORAL ARRANGEMENTS) ORDER 2016: SSI 2016/288;
THE WEST DUNBARTONSHIRE (ELECTORAL ARRANGEMENTS) ORDER 2016: SSI 2016/289.

1. The above instruments are made in exercise of the powers conferred by section 17 of the Local Government (Scotland) Act 1973 ("the 1973 Act"). The instruments are not subject to parliamentary procedure.

Policy Objectives

2. The purpose of the instruments is to give effect to recommendations for changes to local government electoral arrangements – councillor numbers, ward boundaries and ward names – submitted to the Scottish Ministers by the Local Government Boundary Commission for Scotland ("the Commission") following completion by the Commission of its Fifth Electoral Reviews. There is one instrument for each local authority area in respect of which changes are being made.

3. The Commission is an advisory non-departmental public body created by the 1973 Act. It is an independent body that is responsible for reviewing and making recommendations for:

- the number of councillors on each council in a local government area;
- the number of wards for local government elections, their boundaries, designations and the number of councillors for each ward; and
- the extent of council areas.

4. Under section 16 of the 1973 Act the Commission is required to review the electoral arrangements for each local government area every 8-12 years for the purpose of considering whether to make proposals to Scottish Ministers for changes to those arrangements. The overarching purpose of these reviews as laid down in the 1973 Act is to secure effective and convenient local government. Once the Commission has submitted its final recommendations arising from such reviews it is for Scottish Ministers to decide whether to implement those recommendations.

5. The Commission has conducted five such reviews since the 1973 Act came into force. It began the most recent Reviews in February 2014, and submitted its final recommendations in the form of reports for each of Scotland's 32 council areas to Ministers on 26 May 2016. Those recommendations were for changes to the electoral arrangements for all but two (Orkney Islands and West Lothian) of Scotland's local authority areas. Further information on the Commission's conduct of the Fifth Reviews, and its final reports for each local authority area, can be found on the Commission's website at http://www.lgbc-scotland.gov.uk/reviews/5th_electoral/.

Scottish Government decisions

6. In considering whether to implement the Commission's recommendations for each local authority area, the Scottish Ministers have paid close attention to the representations they have received and also to those received by the Commission. As a result of that consideration Ministers have decided to accept the Commission's recommendations for 27 local authority areas. This includes the 2 areas for which the Commission recommended that no changes be made, which means that changes are being made for 25 areas.

7. The local authority areas for which Ministers have **not** accepted the Commission's recommendations for change are:

- Argyll and Bute;
- Dundee City;
- Na h-Eileanan an Iar;
- Scottish Borders; and
- Shetland Islands.

8. Ministers have decided not to implement the recommendations for the Na h-Eileanan an Iar and Shetland Islands local authority areas because of their stated intention to introduce an Islands Bill, which is to include provisions enabling the creation of 1- or 2-member wards for local authority areas with inhabited islands. It is proposed that if such provisions are enacted they would take effect in time for the local government elections in 2022. Ministers believe that it would not be sensible, and could be unduly disruptive, to make changes for these areas for the 2017 elections when it is anticipated that further changes would be made for the subsequent elections.

9. As regards the Argyll and Bute, Dundee City and Scottish Borders local authority areas, Ministers are again aware of the strong local concerns have been expressed about the recommendations and the impact it is felt that the recommendations would have on local community ties. In particular, there has been strong local opposition to the proposed changes to ward boundaries affecting parts of the Argyll and Bute area, the West Ferry/Broughty Ferry areas of Dundee City, and around Hawick in the Scottish Borders. Ministers have therefore decided to take account of those concerns by not making any changes to the electoral arrangements for these council areas.

10. The table in the Annex to this Note lists the local authority areas whose electoral arrangements will be changed by the instruments, and shows the changes to the numbers of wards and of councillors for each area that will be made by the instrument for that area. In addition changes to ward boundaries are being made for each of these local authorities, hence the need for an instrument even for those authority areas where the numbers of wards and councillors are not being changed.

Timing

11. The changes made by the instruments will apply to all local government elections held on or after 4 May 2017. They will therefore apply to the next Scotland-wide local government elections that are to be held on 4 May 2017.

Consultation

12. The recommendations that are being implemented by the instruments were produced by the Commission. The Scottish Government has not carried out its own consultations although it is aware of the responses that the Commission received to its consultations, and has also directly received a number of representations both before and after submission of the Commission's final recommendations. The Commission conducted consultations with

councils and then with the public on its proposals for councillor numbers, and then on its proposals for wards for each local authority area, before finalising its recommendations: all in accordance with the provisions governing the conduct of reviews set out in section 18 of the 1973 Act. In some cases these consultations resulted in the Commission submitting final recommendations that were different from its original proposals. The Commission's final reports for each local authority area summarises the responses it received to its proposals. Details of the consultations conducted by the Commission, including copies of the responses it received to those consultations, are available on the Commission's website.

Impact Assessments

13. The instruments will not have any impact on Child Rights and Wellbeing, Equality, Privacy or the environment.

Financial Effects

14. The instruments will have no financial effects on the Scottish Government or on business. Those instruments that change the number of councillors for a local authority will have a financial effect on local government, since the cost to that authority of councillors' pay and expenses will go up or down depending on whether the number of its councillors is being increased or decreased.

15. The table in the Annex to this Note includes an estimate of the approximate cost implications for each council in terms of councillors' pay, based on the basic pay rate for councillors for 2016-17 as set out in The Local Governance (Scotland) Act 2004 (Remunerations) Amendment Regulations 2016 (SSI 2016/6). As shown in the table, it is estimated that costs will increase for some councils, fall for others and for the remainder will not change. In practice the actual effects on the cost of councillor pay are likely to vary slightly for each council from the figures shown in the table, since the number of senior councillors for each council may vary following implementation of the changes in councillor numbers. This cannot be quantified as the number of senior councillors and their levels of pay are set by each council (within overall limits laid down in legislation), and in any case there is no direct link between how many senior councillors a council has and its total number of councillors.

16. This does not include the effect in terms of councillors' expenses. It is not possible to provide a meaningful estimate of that as the amount will vary for each individual councillor depending on his or her circumstances. There may also be an effect on councils' administrative costs for providing support for councillors: again it is not possible to provide a meaningful estimate of that for each council, but it is considered that it should be relatively marginal.

Scottish Government
Local Government and Communities Directorate

ANNEX

SUMMARY OF EFFECTS OF CHANGES MADE BY THE ELECTORAL ARRANGEMENTS ORDERS 2016

Council	Current Number of Wards	New Number of Wards	Change	Current Number of Councillors	New Number of Councillors	Change	Estimated annual cost of changes to councillor numbers (£s) (see para. 15 of the Note)
Aberdeen City	13	13	0	43	45	+2	+33,786
Aberdeenshire	19	19	0	68	70	+2	+33,786
Angus	8	8	0	29	28	-1	-16,893
Clackmannanshire	5	5	0	18	18	0	0
Dumfries and Galloway	13	12	-1	47	43	-4	-67,572
East Ayrshire	9	9	0	32	32	0	0
East Dunbartonshire	8	7	-1	24	22	-2	-33,786
East Lothian	7	6	-1	23	22	-1	-16,893
East Renfrewshire	6	5	-1	20	18	-2	-33,786
Edinburgh	17	17	0	58	63	+5	+84,465
Falkirk	9	9	0	32	30	-2	-33,786
Fife	23	22	-1	78	75	-3	-50,679
Glasgow	21	23	+2	79	85	+6	+101,358
Highland	22	21	-1	80	74	-6	-101,358
Inverclyde	6	7	+1	20	22	+2	+33,786
Midlothian	6	6	0	18	18	0	0
Moray	8	8	0	26	26	0	0
North Ayrshire	8	10	+2	30	33	+3	+50,679
North Lanarkshire	20	21	+1	70	77	+7	+118,251
Perth and Kinross	12	12	0	41	40	-1	-16,893
Renfrewshire	11	12	+1	40	43	+3	+50,679

South Ayrshire	8	8	0	30	28	-2	-33,786
South Lanarkshire	20	20	0	67	64	-3	-50,679
Stirling	7	7	0	22	23	+1	+16,893
West Dunbartonshire	6	6	0	22	22	0	0
Total change			**+1**			**+4**	**+67,572**