

Third Statutory Review of Electoral Arrangements

Falkirk Council Area

Report to the Secretary of State for Scotland

Local Government Boundary Commission for Scotland

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Introduction

1. The Local Government etc. (Scotland) Act 1994 determined that on and after 1 April 1996, Scotland should be divided into local government areas as named and described in Schedule I to the Act and that, for each area, there should be a council consisting of a convener and councillors. It further determined that each council should have all the functions exercised immediately before 1 April in relation to their area by any existing regional, islands or district council.

2. On 1 April 1996 all local government areas existing immediately before that date which were regions and districts and all regional and district councils ceased to exist.

3. Schedule 2 of the Local Government etc. (Scotland) Act 1994 also established that every local government area (other than areas of the old islands councils) should be divided into such electoral wards as may be specified in a direction made by the Secretary of State after carrying out such consultations as he considered appropriate. Those wards were to apply for the purpose of any election of councillors held before 'the relevant year of election' (defined as meaning the first year of ordinary election of councillors for the area in question occurring after the making of an order constituting the new electoral wards of that local government area in consequence of the review currently being undertaken by the Commission). In accordance with procedures that applied prior to the reorganisation in 1975, the views of councils were invited. Thereafter, the Secretary of State determined that, for the purpose of any election of councillors before the relevant year of election, 36 electoral wards were appropriate for Falkirk local government area. Additionally, the proposed wards should be as described in the report of the Local Government Boundary Commission for Scotland to the Secretary of State for Scotland on its second statutory review of electoral arrangements for Falkirk District dated 5 May 1994.

Origin and Commencement of the Review

4. The Commission has a statutory duty under section 14 of the Local Government (Scotland) Act 1973 to undertake periodic reviews of local authority electoral arrangements. The Local Government etc. (Scotland) Act 1994 amended section 20 and schedule 5 of the 1973 Act, directing that:

as soon as practicable after 1 April 1996, the Boundary Commission shall-

review the electoral arrangements for all local government areas for the purpose of considering the future electoral arrangements for those areas; and

formulate proposals for those arrangements.

5. This, therefore, is one of the statutory reviews required in terms of section 16(2) and Schedule 5 of the Local Government (Scotland) Act 1973, as amended.

6. On 22 March 1996, the Scottish Office Development Department gave local authorities advance notice of the intention of the Commission to carry out a third statutory review of electoral arrangements. On 29 March 1996, we wrote to all councils to announce the commencement of the third statutory review of electoral arrangements and to explain the procedures to be followed. We also gave notice of the commencement of the review to all Community Councils, Electoral Registration Officers, Members of Parliament with a constituency interest and the Scottish headquarters of the political parties. In addition, public notice of the commencement of the review, which included an invitation to interested parties to apply to us for a copy of our consultation letter to councils, was given in newspapers.

Background

7. During the passage through Parliament of the 1994 Act, there was cross-Party understanding that we would review the number of councilors and boundaries of electoral wards for each council in time for changes to be implemented for the 1999 local elections. This was seen to be important because at the time of reorganisation, as mentioned above, the Secretary of State defined the electoral wards for the new councils and to a great extent based these on existing district wards. It was, however, recognised that using the existing district wards led to some councils being significantly over-represented in relation to other areas. Further, it also 'led to councillors within the same local authority areas representing wards with significantly different numbers of electors. Accordingly, our review was seen as important to ensure equity in representation across and within all local authorities. Further, the new authorities were now responsible for the provision of the full range of all services and, accordingly, consideration had to be given to determining an appropriate number of councillors for service provision to be effectively managed.

8. This review is, therefore, the first conducted by us which sets out to determine the appropriate number of councilors required for councils to operate efficiently and to establish the boundaries of electoral wards. To achieve both objectives our review was conducted in 2 main stages:

identification of a suitable methodology for determining numbers of councillors which, applied across all local authority areas, would be seen to be equitable and consistent; and

the division of each local authority area into the appropriate number of electoral wards in accordance with the statutory rules.

9. A copy of the statutory rules to be employed by us and the Secretary of State in considering proposals for electoral arrangements is provided at Appendix A.

Number of Councillors

10. In formulating proposals for the number of councillors we have been guided by two main principles:

effective management of councils; and

equity amongst electors.

11. We recognised that the number of councillors is crucial because there is, undoubtedly, some number below which it would be impossible for a council to discharge its duty to deliver services to its population and, conversely, there is also some number above which a council becomes unwieldy and cumbersome. We were influenced in this respect by the prior considerations of two other bodies.

12. The Royal Commission on Local Government In Scotland 1966-69, under the Chairmanship of the Rt. Hon. Lord Wheatley, provided a basis by which the number of regional councilors and the size of constituency to be represented might be determined by taking into account the fact that population density varies widely in Scotland as a whole and within regions. The then accepted view was that council size should not generally exceed 75 members. In England and Wales the Redcliffe-Maude Commission, which reported to Parliament in 1969, also drew attention to the management problems of large councils and endorsed the recommendation of The Committee on the Management of Local Government that a maximum number of 75 councillors should be set.

13. After careful consideration we concluded that, in the Scottish context and to provide additional flexibility, an upper limit of 80 councillors should be set. We also concluded that a minimum number of councillors should be set, recognising that even the smallest local government areas are now responsible for a wide range of functions. Accordingly, we decided that the minimum number of councillors should be 18. Further, these limits should apply to all councils.

14. Regarding equity as between voters, we considered that ideally each elector's vote should possess the same weight and significance in local government elections throughout the country; furthermore, ideally, there should be similar mutual accessibility between electors and councillors. However, since Scotland is a country of great diversity, both geographically and demographically, a fact reflected in the areas for which councils created by the Act of 1994 are

responsible, and since we are satisfied that, in the interests of good local government, the number of councillors in any council must fall within certain limits, we concluded that these ideals are unattainable in practice. In this situation, recognising that a fair degree of homogeneity exists within certain groups of councils, which exhibit broadly similar geographic and demographic characteristics, we resolved to strive for equity in the senses mentioned within these groups, so far as that is possible within the constraints of the legislation under which we operate.

15. We, therefore, proposed a methodology which initially categorised council areas by density and distribution of population using data available from the 1991 Census of Population. Having classified council areas according to these criteria and adjusted the ratio of electors to each councillor to take account of similar characteristics, we have been able to achieve a broad equity of electorate across and within all council areas.

16. In our letter of 29 March 1996, all councils were informed of the proposed methodology and future pattern of representation for their council area. Councils were requested to make any representations they wished on numbers of councillors by 29 April 1996 so that a meeting could be arranged with the Deputy Chairman and Secretary to discuss the pattern of representation and any matters regarding our review that the Council wished to raise. Following visits to all councils by the Deputy Chairman and Secretary to discuss the proposed methodology and to consider alternatives which could be applied across Scotland, no alternative methodologies were offered but a number of councils suggested that the underlying classification should be amended to include an additional category.

17. At our meeting of 17 June 1996, we re-examined the criteria to be used to categorise mainland councils with similar characteristics in light of the representations made by a number of councils. We concluded that there should be 6 rather than 5 categories. The final categorisation of similar mainland councils was then agreed as follows:

- Category 1 Large Cities Glasgow and Edinburgh.
- Category 2 Cities Aberdeen and Dundee.
- Category 3 Authorities with less than 60% of the population living outwith settlements of 10,000 or more persons **AND** an overall population density of one person or more per hectare.
- Category 4 Authorities with **EITHER** 60% or more of the population living outwith settlements of 10,000 or more persons **OR** an overall population density of less than one person per hectare.
- Category 5 Authorities with 60% or more of the population living outwith settlements of 10,000 or more persons **AND** an overall population density of less than one person per hectare.

- Category 6 Authorities with 60% or more of the population living outwith settlements of 10,000 or more persons **AND** an overall population density of less than 0.2 persons per hectare.

18. In addition to the 6 categories we then determined the ratio of councillors to electorate for mainland councils that would allow for efficient management and appropriate representation, as set out in paragraphs 11-14 above, and considered that the following would be appropriate:

• Category 1	1:6,000
• Category 2	1:4,000
• Category 3	1:3,500
• Category 4	1:3,000
• Category 5	1:2,500
• Category 6	1:2,000

19. On 20 June 1996 we wrote to all mainland councils informing them of the revised criteria for determining councillor numbers and inviting them to prepare a draft scheme of electoral arrangements for their Council area. Following upon that, Aberdeen City Council brought a petition for Judicial Review of the decision taken by us at our meeting of 17 June, 1996 in the Court of Session. In it they sought a decree of declarator that that decision in relation to them was unlawful, ultra vires and null and void; they also sought a decree of reduction of the decision in relation to them and certain ancillary remedies. We resisted this petition, which was dismissed by the Court on 20 December 1996 after a hearing.

20. We considered the ratio of councillors to electors for the 3 islands councils at our meeting of 26 August 1996 and concluded that the appropriate ratio would be 1:750. On 28 August 1996 we wrote to these councils informing them of our decision.

21. Falkirk Council wrote to the Commission on 20 June 1996 to say that Provost Fowler requested a meeting to discuss the Commission's proposal that 32 wards was appropriate for its council area. We replied on 27 June 1996 saying that the matter of Council size had been considered very carefully and that representations already made by Falkirk Council had been taken into account before a final conclusion had been reached. The Commission considered that, in the circumstances, a meeting with Provost Fowler would serve no useful purpose.

22. The Council wrote to the Commission on 11 July 1996 asking that we provide details of the criteria used by the Commission to determine Council size. Details were provided to the Council on 17 July 1996.

Falkirk Council's Proposals

23. The Council submitted a scheme of electoral arrangements for 32 wards on 8 January 1997. The Council's proposals had been the subject of an extensive public consultation exercise.

Copies of representations made to the Council were forwarded to the Commission. The Council stated that it continued to object strongly to the reduction in the number of elected representatives from 36 to 32.

24. The Council based its draft scheme on six community areas which it believed were geographically appropriate and considered by the communities to be logical and to reflect the de facto situation. Each area, based around a main town, had regard to school catchment areas etc., was largely self-contained and was said to have a strong sense of identity. The areas had local transport and communications links, formed a discrete service delivery area for the Council and were consistent with the Council's decentralisation proposals.

25. In determining its proposals, the Council had recognised the statutory rules and its strong sense of commitment to the division of the community into six areas, which, it believed, had the support of these communities. The Council concluded that the statutory criteria regarding parity had been satisfied, as nearly as may be, in four of the six areas and that, in all areas, community links were recognised. The Council acknowledged that the Commission could choose to disregard its proposals should it consider that obligations in relation to electoral parity were not met. However, the Council believed that if the Commission was to prepare a scheme which did not have regard to the six community areas, this could result in, for example, electors in Bo'ness and Polmont being part of the same ward, which would not best serve the electorate. The Commission was, therefore, urged to consider the principle of the six areas and, thereafter, the draft scheme based on this principle. The Council submitted that its draft scheme was an improvement on current arrangements and that rejection of the scheme, and in particular of the six area scenario, would increase the potential for the electorate to perceive that it had no influence on the issue.

26. Our initial analysis of the Council's draft scheme led us to conclude that, whilst we could appreciate the Council's methodology which divided its area into six community areas, the constraints imposed by giving prior consideration to other non-electoral boundaries had produced a scheme of electorate which was not acceptable in some areas in terms of the statutory primary rule concerning electoral parity. The Commission further concluded that, excluding the Cities, Falkirk Council area was one of the most densely populated and categorised as a mainly urban area. The range of divergence from electoral parity in Denny/Bonnybridge and Bo'ness was, therefore, inappropriate. The Commission's Secretariat was directed to seek the Council's assistance in devising an alternative scheme which produced better overall electoral parity.

27. Discussions were held with Council officials in an effort to resolve the parity issues but it was clear that the Council, which was committed to retaining the six community areas, would be concerned with the possibility that these boundaries would be breached. Nevertheless, Council officials undertook to review the initial scheme submitted to the Commission.

28. On 26 March 1997, the Council submitted a modified scheme for our consideration and drew attention to the fact that its principle of maintaining six community areas had unqualified public support. The Council believed that departure from this principle would be contrary to the wishes of the public and would result in a loss of faith, on the part of the electorate, in the

consultation process. The Council further believed that a review of electoral arrangements must produce a scheme which was actually and perceptually fair in terms of representation and that any scheme which failed this test would be discredited. The public would not, for example, be persuaded that it was appropriate to create a ward linking Bonnybridge with Shieldhill or Larbert. The Council believed that its revised draft scheme represented a significant improvement on its original proposals and the Commission was urged to adopt the revision.

29. Ten representations were received.

30. Bo'ness Community Council were of the view that three Councillors was an unacceptable decline in the democratic process but offered no alternative ward boundaries.

31. Brightons Community Council recommended that the Council's proposals for six wards in the area should be accepted. However, the division of Brightons village into three parts was unacceptable. The village boundaries were easily identifiable and they should not be impinged upon.

32. Blackness Area Community Council supported a 4 ward option for Bo'ness/Blackness and proposed that the name of Ward 13 should be 'Grange and Blackness'.

33. Grahamston Community Council wrote to say that it would be supporting a submission by Councillor Alexander which created two wards in its area based on natural boundaries. It appreciated that the proposals would create an imbalance in electoral parity but it concluded that traditional communities should be retained and not carved up as the Council proposed.

34. Bo'ness Labour Party considered that Bo'ness should have four wards. It believed that, if the area was covered by three wards, they would have the largest electorates in the Council area. It believed also that parts of the wards for Bo'ness would incorporate rural areas and this justified wards with fewer than 3,500 electors. It concluded that the increase in housing at the east end of the town was substantial. Any adjustments to the existing boundaries should be minimal and changes should reflect natural communities.

35. Councillor J Constable wrote on behalf of himself and Councillors Eaglesham and H Constable to support Bo'ness Branch Scottish National Party and Falkirk Council Scottish National Party Liaison Committee. The Councillor agreed that neither a three ward nor a four ward solution would produce electoral parity but believed that the Scottish National Party's proposal embraced the broader picture of how four wards could be achieved in Bo'ness by remodelling Denny/Bonnybridge - which had no valid argument to be treated as a special case - and removing a ward. A map was provided which the Councillor believed showed boundaries which caused minimal disruption to existing boundaries, retained community links and allowed reasonable electoral parity.

36. Michael Connarty MP considered that Bo'ness should be represented by 4 councillors rather than the three designated in the Council scheme. Mr Connarty asserted that the Council had failed to include planned housing developments which would provide sufficient electorate to

justify an additional ward. No alternative ward boundaries were offered for consideration but it was clear that the intention was that any revision of Bo'ness should not incorporate electorate which was not closely associated with the town.

37. The Scottish National Party, Falkirk Council Liaison Committee, submitted alternative proposals which were based on the six community areas determined by the Council. The Committee believed that, in Bo'ness, Denny and Falkirk, its proposals better matched the statutory criteria in terms of numerical parity and natural community boundaries and that the Council's submission had been influenced by political considerations.

38. The Scottish National Party, Bo'ness Branch, considered that it had solid and justifiable grounds for arguing that Bo'ness should continue to be represented by four Councilors. It stated that it was in accord with the Scottish National Party, Falkirk Council Liaison Committee's submission.

39. A letter was received which set out proposals for three wards in Bo'ness each containing approximately 3,454 electors. The correspondent, however, favoured the retention of four wards in this area.

40. We noted the views of those who considered that Bo'ness should have four rather than three wards but concluded that this would only be possible within the statutory rules if sufficient electorate elsewhere in the Council area could be associated with the town. We consulted the Council with regard to claims that it had not included substantial new housing in Bo'ness in its proposals and were informed that electorate which could be expected from new build occupied by 2001 had been accounted for. We asked the Council about the proposal from Blackness and Grange Community Council that Ward 13 be renamed 'Grange and Blackness'. There was no objection and, in line with our general policy regarding ward names, we agreed to the change of designation.

41. We considered the revised scheme submitted by Falkirk Council together with alternative proposals submitted by the Scottish National Party, Falkirk Council Liaison Committee, and concluded that both schemes had merit.

42. In assessing the Council's scheme we noted that, in the 24 wards outwith the Bo'ness and Denny/Bonnybridge areas, electoral parity was acceptable. Ward boundaries were well defined across the Council area. It was clear, however, that the west and south of the Council area was over-represented, the cumulative divergence from parity in the area amounting to -88% with the largest divergences from parity in contiguous built-up areas. Conversely, in Bo'ness there was a cumulative divergence from parity of 35%. We concluded that further consideration was necessary in the Denny/Bonnybridge and Bo'ness areas.

43. In the Scottish National Party, Falkirk Council Liaison Committee's scheme, we noted that 23 of the 32 wards produced good electoral parity and, overall, the scheme showed well-defined boundaries. However, the scheme treated Bo'ness as a special case; the area was over-

represented and the cumulative divergence from electoral parity amounted to -65%. There were also some moderately large divergences from electoral parity elsewhere in the Council area.

44. Overall, we considered that both schemes had merit but we concluded that the position in Denny/Bonnybridge and Bo'ness was not acceptable in terms of the statutory rules. We directed our Secretariat to examine the possibility of achieving better electoral parity across the whole Council area adopting wards from either the Council or the Scottish National Party scheme where it was possible and practical to do so.

45. Our Secretariat examined both schemes in detail and concluded that it would not be possible to use a mixture of wards from the schemes submitted by the Council and the Scottish National Party. It appeared that it might be possible to resolve the Denny/Bonnybridge and Bo'ness parity issues identified in the Council's draft scheme without amending the boundaries of Wards 1 - 12, 16 - 20, 27, 29 and 32. However, an examination of the scheme submitted by the Scottish National Party indicated that it would not be possible to resolve the main problem in the Bo'ness area and minor problems elsewhere without a major revision across the whole Council area.

46. In preparing a revision of the Council's draft scheme, our officers sought to bring the wards in Denny/Bonnybridge closer to parity and made consequential adjustments to the boundaries of wards lying to the south of the Council area. The wards in Bo'ness were also revised and an area around Maddiston/Whitecross associated with Bo'ness. We observed that parity in the Denny/Bonnybridge area had been significantly improved. In the Bo'ness area we noted that the proposal produced three wards close to parity. Overall, we considered that the revised proposals were broadly acceptable.

Publication of Commission's Provisional Proposals

47. Public notice was given of the publication of our provisional proposals on 29 April 1998. Falkirk Council was asked to make available for inspection at its offices copies of the electoral ward boundary descriptions, electoral statistics and illustrative maps. Additionally, copies of our proposals were sent to all who had received our consultation letter or had expressed an interest. We asked that any comments should be made to us by 27 May 1998.

Consideration of Representations

48. Eighty-three representations were received:

- **Blackness Community Council** wrote to say that it was pleased its submission had been accepted. We noted the comment.

- **Brightons Community Council** stated that it agreed with the reduction in the number of Councillors but it considered that the division of Brightons between Wards 29 and 31 would result in two Councillors attending to community affairs and that this would be divisive and confusing. The Community Council considered that there were grounds for the appointment of an Assistant Commissioner to conduct a local hearing.

We noted the views expressed but concluded that there were no good reasons for conducting a local hearing.

- **Grahamston Community Council** wrote to say that the provisional proposals not only compromised the feeling of community spirit within Grahamston but were also in breach of the statutory rules regarding local ties. The catchment area for the Community Council bore little resemblance to the electoral wards within the Council area. This would lead to the watering-down of commitments, reversing what the Community Council saw as a central government emphasis to increase the involvement of Community Councils in decentralised decision making. Alternative boundaries were proposed.

We noted that, in developing proposals for revised electoral arrangements, we cannot be constrained by the boundaries of Community Council areas etc. which are a matter for the Council. We noted also that it was not possible to accept the alternative boundaries proposed in isolation. If the alternative boundaries were adopted, there would need to be consequential changes to adjoining wards where few or no representations had been made regarding our provisional proposals. We concluded, therefore, that we were unable to adopt the changes proposed.

- **Maddiston Area Community Council** considered that it was disgraceful that we had carved through its village to reach parity. Natural boundary lines, such as the Canal and post codes, needed to be looked at. Taking the top half of Maddiston and Whitecross village and lumping it with Bo'ness, then removing the name Muiravonside, which was one of the oldest parishes, added insult to injury. The Community Council believed that the Commission had assured it that communities were paramount and that parity would be reached by looking at urban areas. A petition against the provisional proposals was being organised.

We noted the views expressed but concluded that our proposals were equitable across the whole Council area.

- **Shieldhill and California Community Council** wrote to say that there were no links between Shieldhill and Bonnybridge and that, in order to travel to Bonnybridge to visit a Councillor, it would be necessary to use two bus services. A Bonnybridge Councillor would not know about Shieldhill and could not, therefore, adequately represent Shieldhill views. Darnrig Ward was unacceptable.

We noted the Community Council's views but concluded that our proposals were equitable across the whole Council area.

- **Councillor Buchanan** vigorously objected to the proposed Darnrig Ward. It would be a logistical nightmare to get from Shieldhill to Greenhill and High Bonnybridge. Falkirk Council's scheme should alleviate any concerns we might have on electoral parity. The proposals were preposterous enough but, as an amateur historian, the Councillor was mystified by the name. Identity was important and the Commission was taking away the historical identity of Greenhill and High Bonnybridge. The areas of Shieldhill and Greenhill/High Bonnybridge had no community ties and the vast majority of the populace of the latter settlements had never been to Shieldhill, were unsure of its location and knew nothing about it. Communities had been thrown aside and there would be confusion and difficulties with Parliamentary Constituencies. Postal codes were important and this would also cause confusion. The Commission's proposals were just a piece of nonsense. The Commission should adopt the Council's proposals. A petition was being circulated in the communities.

We noted the Councillor's views. We noted that the name 'Darnrig' had been suggested from within the council area. With regard to the Council's scheme, we remained of the view that there was a need to reflect better the statutory rule regarding electoral parity across the Council and concluded that our provisional proposals were equitable. We noted that, in revising electoral arrangements for local government areas, the Commission is not constrained by the boundaries of Parliamentary Constituencies which are the responsibility of the Boundary Commission for Scotland. We noted also that postal codes have no defined boundaries and are of no relevance in determining revised electoral arrangements.

- **Councillor J Constable** wrote to say that there was very strong concern expressed within the Scottish National Party Group and local Party Branches and asked for a meeting with Commissioners to discuss the matters. Councillor Constable later forwarded 27 proforma letters from residents of Bo'ness who objected to the provisional proposals.

We noted the Councillor's remarks and the proforma letters from those in Bo'ness objecting to our provisional proposals. The Commission's general policy is to consider representations submitted in writing unless there are exceptional circumstances where additional information is required. The representations considered that the only means of obtaining such information was through a local inquiry but we concluded that, in this instance, there were no reasons which would justify conducting a local enquiry.

- **Councillor Cook** wrote to say that the provisional proposals were of concern to the people of the proposed Wards 16 and 30. They should be reconsidered.

We noted the views expressed but were not able to make adjustments in this area which produced wards which better satisfied the statutory rule regarding electoral parity.

- **Provost Fowler** wrote on behalf of the community of Maddiston to object to the proposed division of the area between Wards 16 and 31. He believed that one of the main components of village life was the retention of complete communities and urged that the Commission retain Maddiston with Brightons in a single ward, using the Union Canal as the eastern boundary.

We noted the views expressed but were not able to make adjustments in this area which produced wards which better satisfied the statutory rule regarding electoral parity.

- **Councillor Short** wrote to oppose the Commission's proposals which were considered impracticable and unacceptable by the people concerned, particularly in Wards 16 and 30.

We noted the views expressed but concluded that our proposals were equitable across the whole Council area.

- **Falkirk West Conservative and Unionist Association** expressed the view that proposals for Ward 3 were acceptable. Whilst it would have been preferable if the boundaries of wards to the south of the Council area had remained as they presently exist, the Association recognised that this was not possible given the reduction in wards. The Association suggested that, given the area covered by Ward 3, it would be more appropriately named 'Woodlands'. Council officials informed us that 'Woodlands' had been the name used in the scheme which the Council had put to public consultation. In line with our general policy regarding the designation of wards, we agreed that the name should be changed to 'Woodlands' as requested.
- **The Bo'ness Branch of the Labour Party** wrote to congratulate and thank us for the decision to retain four wards for Bo'ness. The Party recognised that the retention of existing ward boundaries was not an option and acknowledged that there was a need to alter boundaries to ensure electoral equity in neighbouring wards. It noted the harmonious relationship between Blackness and Bo'ness and was prepared for the area to be linked with other communities. It was, however, thought that Ward 16 should lose that part of Maddiston which lay within its boundaries but that the link with Whitecross should be maintained. It was noted that this would result in a ward which did not meet electoral parity but it believed that other compensatory adjustments could resolve the position.

We noted the Bo'ness Branch's comments on our proposals for the Bo'ness area. We carefully re-examined the possibility of removing Maddiston from Ward 16

and adjusting other boundaries to maintain good electoral parity. We concluded that it was not possible to make compensatory adjustments which satisfied the statutory rule regarding electoral parity in the areas in question. We were, therefore, not prepared to revise our provisional proposals in this area.

- **Braes Labour Party** wrote to say that the proposals for Ward 16 and Ward 30 were disturbing. Trying to link Whitecross and Maddiston with Bo'ness and Shieldhill with Bonnybridge, totally ignored any sense of community which these areas had. There was no direct public transport and journeys would be difficult and costly. It believed also that there would be an adverse effect on the way that the Council provided services. We were asked to reconsider our proposals.

We noted the views expressed by Braes Labour Party but were not able to make adjustments in this area which produced wards which better satisfied the statutory rule regarding electoral parity.

- **The Scottish National Party, Bo'ness Branch**, wrote to say that there was an exceptional case for Bo'ness retaining four wards despite the adverse impact on electoral parity and that this could be justified under the statutory rules which state that regard should be taken of any local ties which would be broken by the fixing of any particular boundary. Bo'ness and Blackness have a very keen sense of identity, perhaps born of their uniquely separate geographical location and long-established local history and traditions. The case for preserving local identity as an important part of community life stood and it was argued that the variety of characteristics required four members to provide adequate representation. The Branch was appalled at the proposals to create a Kinneil/Whitecross Ward which were greeted with disbelief in the areas affected. To divorce the three estates at the south west shoulder of Bo'ness from the Borrowstoun Mains estate would disrupt the very clear community links between them. Bo'ness Branch of the Scottish National Party argued that Bo'ness is a classic example of the reasoning behind Schedule 6 and that the proposals were seriously at variance with the spirit of the Act. The Commission should revise its proposals and keep the Bo'ness community intact Bo'ness Scottish Nationalist Party further indicated that it would like to place its views before a Public Local Enquiry.

We noted the views expressed. We concluded that we had sufficient information available to allow us to make recommendations regarding revised electoral arrangements for Falkirk Council area and that there was no justifiable reason for the appointment of an Assistant Commissioner to hold a local enquiry. We concluded also that there were no special geographical reasons which would allow us to deviate from the statutory rule regarding electoral parity. As we mention above, after carefully reexamining the area, we were not able to make adjustments which produced wards which better reflected the statutory rule regarding electoral parity and we were, therefore, not prepared to revise our provisional proposals.

- **The Scottish National Party, Falkirk Council Liaison Committee**, wrote to say that it believed that Commissioners had considered only the options placed before them by Falkirk Council. The fact that only Falkirk Council had been asked to revise its original proposals gave the Labour-controlled Council an unfair advantage as well as sending a clear message that the Council's proposals would form the basis of the Commission's decision at the expense of all other submissions. The Committee found such action an unfortunate precedent in that the winners of one election are awarded the privilege of playing a disproportionate role in the formulation of boundaries for the next elections. Background papers were provided which it was thought would demonstrate that the Council's unbiased submission was in fact that of the Labour Party.

The Committee considered that the geographical location of Bo'ness and Blackness warranted four wards and believed that the proposals it had submitted achieved this with the least disruption to existing boundaries and communities. It stated that it opposed the Commission's proposals for Kinneil/Whitecross Ward in terms of paragraph 1.3b of the statutory rules. These communities had no previous ties, no history of shared interests and no common goals to justify the proposal. It submitted that its proposals were superior because the government is committed to decentralisation and environmentally friendly policies and it is wrong to put in place a ward which prohibits the use of public transport, there being no direct bus links between Bo'ness and Whitecross. It supported a submission from the Laurieston Branch of the Scottish National Party which it considered would clear up an anomaly in the Commission's proposals with no effect on parity. It opposed the proposals for Darnrig Ward and considered that Commissioners should consider such issues as transport and infrastructure links between communities. It believed that its proposals for Falkirk were a more realistic compromise between the need to ensure parity and the recognition of community boundaries. It resubmitted its original proposals for the Council area and hoped that they would be recognised by the Commission.

As we mention above, very careful consideration was given to the draft scheme of electoral arrangements and alternative proposals submitted by the Liaison Committee and others prior to the publication of our provisional proposals. The Liaison Committee considered that we had failed to apply the statutory rules concerning the fixing of boundaries and having regard to community ties properly. We noted that these rules are subject to consideration of the primary rule concerning electoral parity and that there were no special geographical considerations which made it possible to deviate from the application of the primary rule. We concluded that there was no justifiable reason why wards in the Bo'ness area should not be revised in such a way that achieved, as far as practicable, as close an approximation with electoral parity as was possible. Accordingly, we were not prepared to adopt the Scottish National Party scheme of electorate for Falkirk Council area.

- **The Scottish National Party, Laurieston Branch** requested that an area comprising East and West Beancross farms should be included in Ward 27.

We noted that the proposal produced a well-defined boundary and had no impact on electoral parity. We noted also that, following consultation, the Council had maintained the southern boundary of Ward 10 along the line of the former burgh boundary, rather than the line of the M9 as had been originally proposed. We further noted that no objection to the provisional proposals had been received from electorate in the area in question. We concluded, therefore, that our provisional proposals in this area should not be altered.

- Thirty-seven proforma letters were received opposing Millburn Street being incorporated into Town Centre Ward because there were a number of senior citizen residents who would have to walk uphill for approximately one mile to vote. The area had been in Ladysmill Ward for some time and should now be in Middlefield Ward.

We noted the views expressed but were not prepared to amend our provisional proposals because the proposed alteration had an adverse effect on electoral parity.

- **Victoria Primary School Board** wrote to express concerns that the proposals for Grahamston meant that the main catchment area for the school was being fragmented by splitting it between three, rather than two, wards. It stated that the local authority ethos for schools is for them to be the focus of the community. By breaking away areas like, for example, Castings, children would find themselves attending a school where they are not part of the community. The effect of the changes could lead to friction between communities.

We noted the School Board's view. We noted that the Electoral Review is concerned with revising boundaries for electoral arrangements and could not be constrained by irrelevant issues such as School Board catchment area boundaries which were for Falkirk Council's consideration.

- A letter was received expressing concern about breaking close ties with neighbouring communities of Shieldhill, together with a petition objecting to the provisional proposals which was signed by 239 Shieldhill residents.

We noted the views expressed but, as we mention above, we concluded that our provisional proposals were equitable across the Council area.

- **The Council** wrote to say that, whilst adopting to a significant degree the Council's original proposals, the provisional proposals were unacceptable. They contained two Wards (16 and 30) which, it was believed, did not accord with the

statutory rules. The Council believed that, in considering electoral parity, the greatest emphasis should be placed on the statutory requirement that the numbers of electors shall be 'as nearly as may be' the same in each electoral area. The Council, however, was aware of and also took into account the supplementary rules that existed which state that, 'subject to the provisions for parity, regard shall be had to the fixing of boundaries and local ties'. The Council believed that the provisional proposals failed, in the case of Wards 16 and 30, to have regard to local ties which would be broken by the fixing of a particular boundary.

The Council believed that the division of its area into six community areas was perceived, without argument by these communities to be logical and to reflect the position as it stands. The Council had regard not only to the Schedule 6 rules but also to its strong commitment, and to the commitment of its communities, to the division of its area into six community areas. A substantial proportion of the Council's service delivery areas were breached by the Commission's proposals and local ties were severed. The Commission's proposals, in terms of parity, were only superior to a degree to those of the Council and parity could be achieved only to an extent, whereas the Council had regard to community ties as was undoubtedly intended by the legislation. A list was provided detailing each service delivery affected by the Commission's proposals which served to emphasise the grave detrimental effect which the provisional proposals would have on certain parts of the community. The Council believed that it was ironic that proposals which would further aggravate the vexed question of democratic legitimacy of local Councils was being promulgated by the Commission. We were asked to amend our provisional proposals or, alternatively, recommend to the Secretary of State that an Assistant Commissioner be appointed to hold a local hearing. We carefully considered the Council's detailed submission in response to our provisional proposals. We concluded that the Council area was generally compact and mainly urban and that there were no special geographical considerations which would justify the divergences from parity in the Council's proposals for the Denny/Bonnybridge and Bo'ness areas. We concluded also that areas designated by the Council for service delivery, which were not subject to the rules concerning local electoral arrangements, should not subsequently unduly influence the consideration of revised electoral arrangements, particularly when such recognition constrained the application of the statutory rule regarding parity. We noted that in the Denny/Bonnybridge and Bo'ness areas representations opposing the provisional proposals had been few.

We concluded that our provisional proposals for the Council area were equitable, that there was sufficient information available to allow the Commission to consider representations and make final recommendations and that there were no justifiable reasons for requesting that the Secretary of State appoint an Assistant Commissioner to conduct a local hearing.

Final Recommendation

49. Having conducted the third statutory review of electoral arrangements for Falkirk Council area in accordance with the procedures described above, we recommend that future electoral arrangements for the said Council should provide for a Council of 32 members.

50. The designation of the electoral wards that we recommend for Falkirk Council, together with information which we have received from the Council as to the 1996 electorate and forecast 2001 electorate of the proposed wards, are set out at Appendix B to this report.

51. The boundaries of the proposed electoral wards are described in Appendix C and the following illustrative maps accompany this report:

Map	Area	Scale
1A	Falkirk Council Area	1:25,000
1B	Falkirk Council Area	1:25,000
2	Falkirk Council Area West	1:10,000
3	Falkirk Council Area Central	1:10,000
4	Falkirk Council Area East	1:10,000

Appendix B

Falkirk Council Area Proposed Electoral Wards

Number	Name	Electorate	
		1996 (Actual)	2001 (Estimated)
a	b	c	d
1	Camelon	3,629	3,474
2	Summerford	3,603	3,578
3	Woodlands	3,450	3,602
4	Town Centre	3,674	3,585
5	Hall Glen	3,721	3,562
6	Dawson	3,657	3,585
7	Grahamsford	3,313	3,539
8	Middlefield	3,650	3,590
9	Zetland	3,724	3,595
10	Beancross	3,625	3,550
11	Inchyra	3,719	3,560
12	Dundas/ Kerse	3,563	3,553
13	Grange and Blackness	3,191	3,258
14	Dean	3,317	3,203
15	Borrowstoun	3,499	3,349
16	Kinneil and Whitecross	3,306	3,280
17	Forthside	3,266	3,579
18	Kinnaird	3,550	3,613
19	Carrongrange	3,571	3,622
20	Tryst	3,606	3,560
21	Larbert	3,419	3,446
22	Herbertshire	3,437	3,542
23	Denny	3,482	3,381
24	Denny South	3,354	3,297
25	Bonnybridge	3,458	3,395
26	Banknock	3,019	3,135
27	Laurieston	3,452	3,318
28	Polmont	3,415	3,377
29	Redding and Westquarter	3,017	3,335
30	Darnrig	3,340	3,512
31	Reddingmuirhead, Brightons and Rumford	3,096	3,217
32	Avon	3,479	3,330
	Total	110,602	110,522