

Third Statutory Review of Electoral Arrangements

Inverclyde Council Area

Report to the Secretary of State for Scotland

Local Government Boundary Commission for Scotland

Report Number E98006
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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 1 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, 20 electoral wards were appropriate for Inverclyde 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 Inverclyde District dated 10 August 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 councillors 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 councillors 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 for 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 councillors 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 SO 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 fixture 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. On 5 August 1996, Inverclyde Council noted the level of representation for their area and confirmed that they would submit a draft scheme of electoral arrangements for 20 wards by mid October 1996.

Inverclyde Council's Proposals

22. The Council submitted a scheme of electoral arrangements for 20 wards on 21 February 1997. The Council offered its scheme for public consultation on 14 March and interested parties were invited to make representations directly to us by 11 April.

23. Our initial concerns with the Council's proposals focused on the forecast of electorate at 2001 and, more particularly, the significant changes in electorate forecast for a number of wards between 1996 and 2001. The electorate of the Council area at 1996 was 68,701. The Council's overall forecast of electorate at 2001 was 72,203 an increase of 3,502 (5%). This compared with our 2001 forecast of approximately 65,700 electors, a decrease of approximately 4.5%. The latest

available official population projection data also suggested that, in population terms, Inverclyde Council area was the most rapidly declining area in Scotland. Accordingly, we wrote to the Council requesting details of the methodology used to prepare the overall forecast and the reasons for anticipated changes at ward level.

24. Following the Council's response to our request for additional information regarding the Council's overall forecast of electorate at 2001 and the changes expected at ward level, officers of the Commission met with Council officials to discuss the need for a realistic forecast of electorate at 2001. The opportunity was also taken to make a number of site visits which provided a useful insight into the area in terms of its settlement patterns, geography, topography and communications links. Thereafter, the practicability of adjusting the Council's draft scheme to better reflect likely changes in the number of electors was further explored by our staff.

25. One letter of representation was received as a result of the Council's consultation exercise. Councillor J Mitchell wrote on behalf of the Liberal members of the Council pointing out that Inverclyde had, overall, suffered a steady decline in population for a period of 20 years. The population of Greenock East had collapsed, Port Glasgow had suffered a small decline, whilst there had been a small increase in Gourock, Inverkip, Wemyss Bay and Kilmacolm. It was further suggested that the boundaries proposed by the Council, in all but a few wards, were based on projected electorates which were grossly inaccurate. An analysis of recent trends in electorate data was provided to support the overall contention that there was no likelihood that the Council's overall forecast increase was realisable by 2001 and, further, that the boundaries of Wards 6 - 19 should be revised to achieve a balance of electorate within a more realistic forecast for the whole Council area.

26. The additional information provided by the Council in respect of the methodology used in forecasting electorate and calculating expected changes at ward level suggested that the Council's overall forecast of electorate at 2001 should, indeed, be revised downwards. Our officers, however, concluded that there should be a measure of agreement with the Council on the overall forecast of electorate before any further examination of the underlying ward structure. Council officials considered that our forecast of electorate at 2001 was unduly pessimistic and, although latest population projection data available from the General Register Office showed a significant decline, it was argued that the electorate of the Council area would, if anything, remain stable at between 68,000 and 69,000. In light of discussions with Council officials we agreed that a forecast 68,100 electorate at 2001 was broadly acceptable.

27. Staff of the Commission then prepared a revised estimate of electors in each of the wards at 2001 based on information provided by the Council and within the overall figure of 68,100. Council officials were consulted and were broadly content with the revision, except for Wards 1 and 20 where it was thought that the Council's original figures for these areas were realistic. This view was also supported in the representation made by Councillor Mitchell. Further, the earlier visit to the areas in question by officers of the Commission had also served to confirm that there was no apparent evidence of a population decline in Ward 1 and that substantial new house building was taking place in Ward 20. Accordingly, further adjustments were made to the forecasts of electorate at ward level.

28. As a final step in developing our provisional proposals, we then made adjustments to the boundaries proposed by the Council to achieve, where practicable, a better balance of electoral parity. However, we were unable to make changes to the boundary of Ward 1 which would achieve better electoral parity because of the settlement pattern, geography, and communications links with other parts of the Council area.

Publication of Commission's Provisional Proposals

29. Public notice was given of the publication of our provisional proposals on 18 September 1997. Inverclyde Council was asked to make copies of the electoral ward boundary descriptions, electoral statistics and illustrative maps available for inspection at its offices. 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 14 October 1997.

Consideration of Representations

30. Three letters were received:

- One representation indicated that our provisional proposals, like existing arrangements, included a residential property in Ward 1, which was more than 10 miles from the designated polling station. To reach this polling station, it was necessary to travel through the built-up area of the Council, passing a number of other polling stations en route. Indeed, the nearest polling place was approximately 1 mile from the property in question. Accordingly we consulted the Council and amended our proposals to transfer a large tract of the green belt from Ward I to Ward 11. The change had no impact on electoral parity.
- A second representation was concerned that an area in the Arran View estate, which is considered to be within Gourock, continued to be included in a ward with the Larkfield area of Greenock. It was suggested that the bulk of service provision, schools etc. and social activities of the estate's residents lay in Gourock and that the choice of boundary may have been made on the basis of political expediency. We consulted the Council to obtain an indication of the number of electors involved in the area and determine whether a change of boundary, as suggested, was practicable. The data provided by the Council indicated that, if the boundary of Wards 14 and 18 was altered to accommodate the representation, divergence from electoral parity in these wards would increase from a balance of -3% in our provisional proposals to -18% (Ward 14) and 12% (Ward 18). For this reason we concluded that we could not accept the proposed change.

- The Council intimated that it had considered our provisional proposals and indicated that it preferred the boundaries set out in its earlier proposals. The Council concluded that, whilst the adjustments made between Wards 9, 10, II and 16 did address issues of parity, they did not significantly vary from proposals previously submitted by the Council and, further, had the effect of altering boundary lines which had been clearly established for some time and had been drawn by the Council with the purpose of easy identification. The Council also wished to re-establish the boundary it proposed between Wards 13 and 15 which was considered a clear and natural boundary whereas our proposal was thought to be complicated, not to achieve parity and bound to confuse the issue in the minds of the electorate to the detriment of the democratic process. We considered at length all of the issues raised by the Council and concluded that the boundaries in these areas should remain as set out in our provisional proposals.

Final Recommendation

31. Having conducted the third statutory review of electoral arrangements for Inverclyde 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 20 members.

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

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

Map	Area	Scale
1	Inverclyde Council Area	1:50,000
2	Gourock and Greenock	1:10,000
3	Port Glasgow	1:10,000

Appendix B

Inverclyde Council Area Proposed Electoral Wards

Number	Name	Electorate 1996 (Actual)	2001 (Estimated)
a	b	c	d
1		4,392	4,450
2		3,648	3,551
3		3,598	3,270
4		3,498	3,249
5		3,567	3,431
6		3,286	3,481
7		3,367	3,657
8		3,066	3,375
9		3,258	3,217
10		3,331	3,261
11		3,462	3,295
12		3,282	3,345
13		3,180	3,373
14		3,447	3,292
15		3,484	3,172
16		3,425	3,218
17		3,646	3,416
18		3,658	3,311
19		3,448	3,290
20		2,658	3,446
Total		68,701	68,100