

Introduction

The Sponsor

1. The Local Government Boundary Commission for Scotland is an Advisory Non-Departmental Public Body (NDPB) sponsored and wholly funded by the Scottish Executive Development Department.

The Commission

2. The Commission was created by section 12 of the Local Government (Scotland) Act 1973. It is an independent, non-political, and totally impartial body. Members are appointed on a term basis and posts are filled through open advertisement using the procedures laid down by the Commissioner for Public Appointments. Appointments are confirmed by The Scottish Ministers following consultation with the principal political parties in Scotland.
3. Schedule 4 to the 1973 Act specifies that the Commission should comprise a Chairman, Deputy Chairman and a maximum of four Commissioners.
4. The Commission has responsibility for all functions conferred on it for the purpose of undertaking reviews set out in the Local Government (Scotland) Act 1973, as amended by the Local Government etc. (Scotland) Act 1994. In this respect the Commission is required to conduct statutory reviews of electoral and administrative arrangements, respond to requests for ad hoc reviews of administrative arrangements and monitor electoral arrangements to identify areas where changes to the density or distribution of the electorate indicate that existing arrangements do not sufficiently comply with the requirements of the statutory rules so that the need for a review can be considered. Reviews undertaken by the Commission may be the subject of direction given by Scottish Ministers under section 15 of the 1973 Act.

Chairman

5. The Chairman of the Commission during the period covered by this report is the Honourable Lord Osborne. Lord Osborne was first appointed in October 1990 and chaired the Commission through two statutory reviews of electoral arrangements. His third and final term as Chairman expired in October 2000.

Deputy Chairman

6. The Deputy Chairman is Mr Brian Wilson OBE. Mr Wilson was appointed Deputy Chairman on 1 October 1999 for a period of 4 years. He replaced Mr K J Clark CBE who was Deputy Chairman for a period of 4 years until September 1999.

Commissioners

7. There are normally three Commissioners, although the legislation allows for a fourth. Dr Elspeth Graham was first appointed to the Commission in April 1994. She will complete her third term in May 2003. Professor Hugh Begg and Dr Ann Glen were appointed from 1 October 1999 until 30 September 2003. Professor Begg and Dr Glen replaced Mr S McDowall, who served as a Commissioner between 1982 and September 1999, and Mrs G Silver, who was appointed in 1995 and served until November 1999.

Code of Practice

8. A Code of Practice was introduced by the Commission in 1998. It follows the Guidance on Codes of Practice for Board Members to Public Bodies, published by the Cabinet Office.
9. The document includes a commitment to observe stated public service values including the need to:
 - observe the highest standards of impartiality, integrity and objectivity in relation to the advice provided to Scottish Ministers regarding proposals for the revision of local government electoral or administrative boundary arrangements;
 - be accountable to the Scottish Parliament and the public more generally for its activities and for the standard of advice it provides; and
 - comply fully with the Code of Practice on Access to Government Information in accordance with Government policy on openness.
10. The Code of Practice states that Commissioners must:
 - follow the Seven Principles of Public Life set out by the Committee on Standards in Public Life;
 - comply with the Code, and ensure they understand their duties, rights and responsibilities, and that they are familiar with the

function and role of the Commission and any relevant statements of Government policy;

- not misuse information gained in the course of their public service for personal gain or for political purpose, nor seek to use the opportunity of public service to promote their private interests or those of connected persons, firms, businesses or other organisations;
- not hold any paid or high-profile unpaid posts in a political party, and not engage in specific political activities on matters directly affecting the work of the Commission; and
- be conscious of their public role and exercise proper discretion when engaging in other political activities.

11. The Code of Practice can be inspected at the Commission's Offices at the address on page 13 of this report. Alternatively, a copy can be provided on request.

Register of Commissioners' Interests

12. Members of the Commission are required to declare any financial or other business or personal interests which may conflict with the duties and responsibilities set out in the Commission's Code of Practice. Commissioners are asked to notify the Commission of any appointments which might lead to an allegation of a conflict of interest, and to report within one month any change to the information provided in this register. In making returns for inclusion in the register, Commissioners have declared that the information is, to the best of their knowledge, complete and correct.

13. The register shows whether Commissioners:

- were paid employees, partners or proprietors of a company, partnership, trust or other body at any time since 1 January 1989;
- held any Company Directorships at any time since 1 January 1989; and
- held membership of a local health authority, health authority and trust, training enterprise council or other relevant voluntary sector body since 1 January 1989.

14. The register shows also companies and organisations in which either Commissioners, their family members or close associates could be involved in the supply of goods or services to, or have business dealings with, the Commission. In practice the

Commission's Secretariat deal directly with all purchases and contracted works following the procedures set out in the Scottish Executive procurement manual. Commissioners are not, therefore, involved in purchasing or contractual issues.

15. The Register of Interests can be inspected at the Commission's Offices at the address on page 13 of this report. Alternatively, a copy can be provided on request.

Secretariat

1. Support to the Commission in undertaking its statutory functions is provided by a small Secretariat. The work of the Secretariat includes monitoring changes in the electorate and dealing with the everyday administrative matters relating to the Commission's business such as finance, purchasing, accommodation etc., liaison with other UK Commissions and government departments with an interest in boundary matters and responding to general and other correspondence concerning boundary issues.
2. Staff of the Secretariat are assigned to the Commission from the Scottish Executive. The number of staff assigned to the Commission is wholly dependent on the volume of review activity and the need to develop, maintain and update information systems and respond to enquiries etc. During the year 1999/2000 support to the Commission was provided by 3 full-time and two part-time staff deployed as follows:

Post	Whole-Time Equivalent
Secretary	0.20
Senior Case Officer	1.00
Case Officer	1.50
General Office Manager	1.00
Total	3.70

3. From 1 April 1999, the Commission's Secretary also fulfilled the role of Secretary to the Boundary Commission for Scotland which is responsible for reviewing parliamentary constituency boundaries and the boundaries of regions for the election of additional members to the Scottish Parliament.

Objectives and Performance

Statutory Functions

1. The Commission is required by the Local Government (Scotland) Act 1973 to undertake periodic statutory reviews of electoral and administrative arrangements, to keep electoral arrangements under continuous review and to respond to requests for interim reviews of administrative boundaries.

Principal Objectives and Performance

2. Our principal objectives and performance for 1999/2000 were as follows:

- **Monitoring Third Review Outcome**

Objective – To monitor outcome of third statutory review by assessing the movement of electorate relative to the 2001 forecasts and the convergence/divergence from current electoral parity within Council areas, by providing a spatial analysis of this information using the Commission's geographic information system.

Performance - In order to monitor annual changes in the electorate at council and ward levels a database application was developed. The main database table can be attached to a GIS application and the annual indexed changes in electorate can be displayed graphically. However, because the Ordnance Survey BoundaryLine data set which contains the authoritative administrative area and ward boundaries did not, as had been expected, become available during the year, the link to the GIS was completed and tested for a small number of authorities in the west of Scotland for which it had been possible to create ward polygons. The test demonstrated that the output could usefully be refined and it is expected that this work will be completed once BoundaryLine becomes available.

- **Administrative Reviews**

Objective – To examine all outstanding requests for reviews of the administrative boundaries between Council areas, review and where necessary revise the processes and procedures adopted by the Commission for conducting such reviews and consider any new requests for administrative reviews.

Performance - Reviews of administrative boundaries, the boundaries between Council areas, are required by statute to be completed between 8 and 12 years following the last review of a Council's boundary. However,

the structure of local government in Scotland was transformed from a two-tier system of Regional and District authorities to a system of unitary authorities following enactment of the Local Government etc. (Scotland) Act 1994. At that time, the Commission was about to embark on a number of ad hoc reviews of various administrative boundaries which it had not been able to undertake initially because of its prior commitment to the second statutory review of electoral arrangements. (It is not possible to undertake concurrent reviews of administrative and electoral arrangements because proposals to revise electoral arrangements can only be made within a fixed administrative boundary framework.) The statutory requirement for the Commission to undertake a review of the electoral arrangements for all of the unitary Councils which came into effect following implementation of the 1994 Act thus prevented outstanding requests for reviews of administrative arrangements from being addressed.

During 1999, the Commission turned its attention to the requests which remained outstanding and a small number of new requests. In all, 28 cases were considered.

Detailed examination and mapping of the areas in question indicated that 6 requests related to parcels of land at the boundaries of former District Council areas which, since local government reorganisation, were contained wholly within a single Council area. In such cases the Commission agreed that no further action was necessary. Twenty-two cases involved areas on the boundaries of the new unitary authorities. Each case was examined in detail and discussion papers were drafted for consideration by the Commission in order to allow for decisions to be made as to whether formal reviews of the new local authority boundaries in the areas specified should take place.

However, on 7 June 1999, the Secretary of State for Scotland issued a Direction under section 15(3) of the Local Government (Scotland) Act 1973. The Direction stated:

‘In exercise of his powers under section 15(3) of the Local Government (Scotland) Act 1973, and all other powers enabling him in that behalf, the Secretary of State hereby directs the Local Government Boundary Commission for Scotland not to undertake a review of any local government area between one day after the date of this direction and 1 April 2004, other than a review which potentially directly affects not more than 50 electors’.

The effect of the Direction was to limit the ability of the Commission to conduct reviews, confining those to circumstances where not more than 50 electors would be directly affected by the proposals for change.

Information obtained from Electoral Registration Officers indicated that 9 of the 22 remaining requests involved areas which contained more than 50 electors. Accordingly, the Commission deferred any further consideration of these cases until the next statutory review of administrative boundaries in 2004.

Thirteen requests were found not to be affected by the Direction. However, following a detailed examination of the case presented by those requesting a review in each of the areas, the Commission concluded that only 4 met the underlying criteria that the changes to the boundaries had the potential of offering more effective and convenient local government. Accordingly, the Commission initiated formal review procedures which would lead to statutory consultation, the publication of provisional proposals and the preparation of a report with recommendations for presentation to Scottish Ministers. Because of the elapsed time required to consider fully representations etc none of the 4 requests subject to formal review reached the final reporting stage during 1999/2000.

- **Third Statutory Review Maps**

Objective – To finalise third statutory review maps with Ordnance Survey.

Performance - At the outset of the third statutory review it had been envisaged that the Commission's Secretariat would obtain hard copy maps showing the boundaries of revised electoral wards as agreed by the Secretary of State and determined by Statutory Instrument. The maps were to be checked against consultation maps prepared during the review by the Commission to ensure that ward boundaries plotted by Ordnance Survey from the textual descriptions reflected the Commission's understanding of the revision it had recommended and the few minor changes made by the Secretary of State for Scotland following representations.

However, because of the high cost of acquiring hard copy maps, the difficulties in storing hard copy and the availability of a computer based geographic information system within the Commission, it was decided that the revised boundary information would be better obtained digitally in the form of BoundaryLine. Because of commitments elsewhere Ordnance Survey were not able to prepare BoundaryLine for Scotland during the 1999/2000 financial year. Nevertheless, the Commission's Secretariat examined all areas where Ordnance Survey boundaries staff experienced problems in the interpretation of the textual descriptions and offered a view on the intended line of the revised boundary.

- **Creation of a Knowledge Base**

Objective – To begin scanning all Commission discussion documents and associated papers, minutes of meetings and reports to the Secretary of State for Scotland to create a knowledge base of review information in a form which allows an electronic means of searching for and retrieving information on a hypertext and/or geospatial basis.

Performance - The appointment of a temporary member of staff during the financial year to undertake the large volume of document scanning required did not take place. Nevertheless, the Commission's Secretariat scanned approximately one quarter of the available documents, other than published reports. The appointment of a temporary staff member during the financial year 2000/2001 should allow most, if not all, of the scanning exercise to be completed.

- **Historical Review Mapping**

Objective – To assemble in digital formats boundary and boundary change information for all review activity since 1973 for incorporation within the Commission's geographic information system.

Performance - The Commission's Secretariat has available in digital formats ward boundaries determined by the second statutory review of electoral arrangements and boundaries for the wards put in place by the Secretary of State for Scotland by means of Direction following the introduction of the unitary authorities in 1994. Digital boundaries are also available for some of the areas showing ward revisions following the first statutory review but work is needed to check available boundaries and digitise boundary information which has not been obtained from other sources.

Expenditure 1999/2000

1. The Commission's running costs for the year 1999-2000 are set out under broad headings in the table below. Figures are rounded to the nearest £1,000.

Budget and Outturn Performance			
April 1999 - March 2000			
		Expenditure	
		Forecast	Actual
Comissioners' Fees		14,000	13,700
Staff Salaries		82,600	73,400
Accommodation, Rent etc		31,000	30,900
Travel & Subsistence		6,000	5,800
General Expenses		55,400	62,300
Total		189,000	186,100

Commissioners' Fees

2. Commissioners' fees are determined by the Scottish Executive and cover attendance at all scheduled Commission meeting and associated preparation, meetings held with other UK Boundary Commissions and ad hoc meetings held with other bodies. From November 1999, Commissioners' fees moved from an agreed annual fee paid in 12 monthly instalments to a fee paid for each meeting. For the period covered by this report the Chairman of the Commission received no fees.
3. Commissioners are reimbursed for any travelling and subsistence costs incurred whilst undertaking Commission business. Rates paid are those which apply to staff of the Scottish Executive. The amounts paid to Commissioners are included in the global travel and subsistence figure shown in the above table.

Staff Salaries

4. Staff salaries are determined by the Scottish Executive.

Accommodation

5. Since April 1999, the Commission's accommodation has been shared with the Boundary Commission for Scotland which is responsible for advising the Secretary of State for Scotland on matters relating to parliamentary constituency boundaries. The figures shown in the above table in respect of accommodation etc reflect the Local Government Boundary Commission's share of rent, business rates, utilities and services such as insurance, management fees, office cleaning etc.

General Expenses

6. General expenses cover office equipment and furniture, stationery and other consumables, telephone, facsimile and e-mail, etc, publications and advertising, staff and Commissioner training and computer software maintenance, support and licence fees.
7. The amount shown for 1999/2000 includes the purchase of additional computer hardware and software which accounts for the overspend shown under the general expenses heading. Sixty-one per cent of the general expenses budget is for the provision of digital mapping and associated boundary information required for the Commission's geographic information system.

Travel and Subsistence

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

Work Programme for 2000/2001

1. For the financial year 2000-2001 the Commission's planned expenditure is £221,000. The Commission expects to: -

- process requests for ad hoc reviews of administrative boundaries;
- continue to monitor annual changes in electorate, calculate and plot year on year change, identify areas where divergence from forecast electorates is likely to be unacceptably high and review areas where forecasts remain on target with a view to preparing guidance notes on forecasting for future reviews;
- develop and maintain the geographic information system and assemble text and maps for inclusion in the proposed knowledge base;
- pilot the exchange of digital data, maps etc with Ordnance Survey, selected local authorities and other interested bodies and consider procedures for undertaking future reviews;
- explore the possibility of acquiring polling district boundaries in digital formats with Electoral Registration Officers, review the potential use of postcode geography as a means of determining or revising electoral arrangements and explore the potential for gathering information regarding population change at ward, polling district and postcode levels;
- specify and develop an LGBCS web site; and
- introduce e-mail facilities as the standard means of communicating with Commissioners.

The Local Government Boundary Commission for Scotland

**3 Drumsheugh Gardens
Edinburgh EH3 7QJ**

Telephone: 0131 538 7510
Fax: 0131 538 7511
e-mail: secretariat@lgbc-scotland.gov.uk