

## **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. Administrative boundary 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 is Mr John Marjoribanks. Mr Marjoribanks was appointed Chairman on 1 November 2000 for a period of 3 years and formerly held office as the Director of Public Affairs of the Commonwealth Development Corporation (now CDC Group plc). He replaced the Honourable Lord Osborne who was standing down after serving the maximum period of 10 years, during which he chaired the Commission through two statutory reviews of electoral arrangements. Lord Osborne completed his third and final term as Chairman 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.

## 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 was appointed for a third term in 2000, which will end in May 2003. Professor Hugh Begg and Dr Ann Glen were appointed on 1 October 1999 for a period of 4 years.

## Code of Practice

8. The Commission in 1998 introduced a Code of Practice. 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 1990;
- held any Company Directorships at any time since 1 January 1990; and
- held membership of a local health authority, health authority and trust, training enterprise council or other relevant voluntary sector body since 1 January 1990.

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 is 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 2000/2001 support to the Commission was provided by 4 full-time and two part-time staff deployed as follows:

<b>Post</b>	<b>Whole - Time Equivalent</b>
<b>Secretary</b>	0.20
<b>Senior Case Officer</b>	1.00
<b>Case Officer</b>	1.50
<b>General Office Manager</b>	1.00
<b>Band A1 Officer (Temporary for 6 months)</b>	1.00
<b>Total</b>	4.70

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 2000/2001 were as follows:

- **Monitoring Third Review Outcome**

**Objective** – To assemble annual electorate data (at ward level) for all local authority areas in Scotland and add to the Commission’s database. Using the Commission’s geographical information system (GIS) and database produce graphic spatial analysis to assist in monitoring progress towards achieving parity at 2001.

**Performance** - In order to monitor annual changes in the electorate at council and ward levels, a database application was developed so that information from the database table could be attached to a GIS application and displayed graphically. Commissioners noted, having considered annual indexed changes in electorate between 1996, 1999 and 2000, that in the majority of electoral wards the movement in electorate relative to the 2001 forecast was acceptable. Further, the Commission agreed that in those cases where the movement in electorate appeared to conflict with that forecast, no interim reviews should be undertaken as the imbalances might be corrected through changes to local government electoral arrangements recommended by the Renewing Local Democracy working group (Kerley).

- **Review Activity**

**Objective** – To complete the administrative review process in respect of 4 requests where the Commission concluded that a review should be undertaken and prepare reports to Scottish Ministers with the Commission’s final recommendations. Consider any new requests that might be received for reviews of administrative boundaries or electoral arrangements.

**Performance** – During 1999, the Commission commenced consideration of 28 outstanding requests for administrative reviews. Having examined each request under the statutory provisions governing administrative reviews, at the time, the Commission concluded that the formal review process should be initiated for 4 of the requests. Reviews of the administrative boundaries between West Dunbartonshire and Argyll & Bute Councils at Ardoch Sewage Works, Aberdeen City and Aberdeenshire Councils at Blackburn, Glasgow City and Renfrewshire Councils at Braehead and City of Edinburgh and West Lothian Councils at West Farm, Broxburn were commenced.

Provisional proposals for 3 of the 4 areas were published on 16 March 2000 prior to the end of the 1999/2000 reporting year. Provisional Proposals for the review at West Farm, Broxburn were published on 15 June 2000. Full consideration was given to all representations submitted in response to the 4 sets of provisional proposals and the Commission concluded that, in the interests of effective and convenient local government, its provisional proposals in respect of the reviews at Ardoch Sewage Works, Blackburn and Broxburn should be adopted as its final recommendations to Scottish Ministers.

At Braehead 3 options were published for consideration at the provisional proposal stage. Although there was general agreement that in terms of effective and convenient local government the Braehead Centre should be under the jurisdiction of a single local authority, there was disagreement regarding which local authority should have sole responsibility for the centre. Examination of the geography and topography of the area around Braehead led the Commission to agree that Braehead Centre should be located fully within Renfrewshire Council area (proposal C of the provisional proposals) and, should be adopted as its final recommendation to Scottish Ministers. All 4 administrative review reports were published and submitted to Scottish Ministers in January 2001.

Two new requests for administrative reviews were also received and considered by the Commission in 2000/2001. A request by the Electoral Registration Officer of Grampian Valuation Joint Board, seeking an amendment to the administrative boundaries between Aberdeenshire and Aberdeen City Councils at the River Dee, was considered but the Commission concluded that it was not possible to justify that a change to the current alignment of the administrative boundary would be desirable in the interests of effective and convenient local government. Therefore, the Commission agreed to defer further consideration of the case until the next statutory review of administrative boundaries in 2004.

The other request was from Dundee City Council seeking reviews of its administrative boundary with Angus Council at Baldovan and Ballumbie.

This request was the Council's third attempt to have a review initiated for the purpose of having certain defined areas within Angus Council included within its own local government area. The Commission considered the request but concluded that there were no grounds why the Commission should depart from its general policy of considering concurrent requests for changes to an administrative boundary, where possible, as a single review.

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'.

Therefore, the Commission asked the Electoral Registration Officer (ERO) for Tayside to provide a count of electors in each of the defined areas. The ERO advised that there were a total of 53 electors in the areas concerned. As the Commission had agreed that a single review of the areas concerned was appropriate and the number of electors involved exceeded the threshold set out in the Secretary of State's Direction, the Commission was unable to proceed with a review at this time.

A formal request from Angus Council dated 31 October 2000 was received seeking a review of electoral arrangements between electoral wards 12 (Montrose West) and 13 (Montrose Hillside) to correct a perceived anomaly that existed at Kinnaber Road which arose during the Third Statutory Review of Electoral Arrangements. The Commission considered the matter at its December meeting and concluded that a review could not be justified in terms of effective and convenient local government, at the present time.

- **Creation of a Knowledge Base**

**Objective** – To progress development of the Commission's GIS and knowledge base by completing the scanning of all Commission's discussion documents and associated papers, minutes of meetings and reports to the Secretary of State for Scotland (now Scottish Ministers) that were produced since the creation of the Commission in 1975. Once completed a knowledge base of all review information will be produced in a format that allows an electronic means of searching for and retrieving

information on a hypertext and/or geospatial basis. Further, a check of Ordnance Survey's (OS) Boundary Line product against digitised boundary information held by the Commission will be undertaken to make sure there are no discrepancies, before pulling the different parts of the knowledge base together. Where discrepancies are found the Commission's secretariat will liaise with Ordnance Survey's boundary experts to determine correct line.

**Performance** - A temporary support member of staff was appointed in September 2000 to undertake the large volume of document scanning and the task was completed in March 2001. Discrepancies found in OS's Boundary Line Product were examined at a meeting with OS boundary experts and following the meeting the Commission's secretariat provided detailed comments on each regarding the correct alignment of the boundary. OS noted the Secretariat's comments and made appropriate revisions to their Boundary Line Product, which were reflected in the 2001 issue. This development will also allow the Commission to progress development of an extensive and informative knowledge base.

- **Development of Commission's Internet Site**

**Objective** – To specify, design and commence development of an Internet Web Site for the Commission with assistance from a service provider and, make arrangements for Ordnance Survey (OS) background mapping to be used where necessary.

**Performance** – To consider what benefits might arise from the having a Commission Web Site, the Secretariat met officials from the Local Government Boundary Commission for England (LGBCE) in September 2000. Our English colleagues had recently launched their site and it was clear that the creation of a web site would have valuable applications for disseminating information and proposals relating to the review work of the Commission. It would also enable historical information from earlier reviews to be available and easily accessed by interested parties visiting the web site.

Using a CD copy of the LGBCE's web site and having visited other web sites on the inter-net, the Secretariat developed a draft structure diagram for the proposed web site. In doing so, consideration was given to the content, structure, appearance and type of visitors/users to the site. Graphic design, ease of navigation (information available in 3 clicks) and user-friendliness were high priorities in the design of the web site.

Following agreement by the Commission to the proposed structure of the web site, the Secretariat identified a suitable provider to assist with the creation of the site. Holding pages were loaded by the end of March 2001 to notify visitors that the Commission's web site was still in development

and would be accessible at a later date. The provider also commenced work on the production of examples of possible designs for the home page, etc.

Inquiries confirmed that the new Scottish Executive Service Level Agreement with OS allowed the Commission to use OS raster mapping as background to the Commission's boundaries for illustration purposes on the website.

- **Provision of E-Mail facilities for Commissioners**

**Objective** – To resolve initial difficulties experienced with the introduction of e-mail to Commissioners for the exchange of discussion papers, maps etc.

**Performance** – Following the introduction of e-mail, Commissioners advised the Secretariat that they were experiencing problems in accessing meeting papers that had been issued by e-mail. Investigation of the problem appeared to suggest that the number of documents might have contributed to the difficulties experienced and, a recent virus attack on the web had forced service providers (ISPs) to restrict e-mail during the week that the meeting papers were issued. Further, the Secretariat had also experienced difficulties following a change in ISP recommended by Cableinet, as a means of improving Internet and e-mail access.

It was agreed by the Commission that the Secretariat should work with the service provider in an effort to establish and resolve the conflicts. As no solution had been found by December 2000 and the Secretariat was in receipt of a replacement file server, it was agreed to await installation of the new computer network before continuing work on resolving the e-mail problems. In March 2001 the ISDN adapter was replaced and communication ports on the mail server required correction. It was also identified that the firewall protecting against entry through the ISDN connection might be causing problems by forcing an election on the Local Government Boundary Commission for Scotland side of the network and thereby unilaterally altering the TCPIP. Further investigation would occur on these outstanding matters in order that e-mail could be introduced to Commissioners for the exchange of discussion papers, maps, etc, during the forthcoming year.

## Expenditure 2000/2001

6. The Commission's running costs for the year 2000-2001 are set out under broad headings in the table below. Figures are rounded to the nearest £1,000.

<b>Budget and Outturn Performance April 2000 - March 2001</b>	<b>Expenditure</b>	
	<b>Forecast</b>	<b>Actual</b>
<b>Commissioners' Fees</b>	16,000	10,000
<b>Staff Salaries</b>	90,000	78,000
<b>Accommodation, Rent etc</b>	32,000	32,000
<b>Travel &amp; Subsistence</b>	6,000	5,000
<b>General Expenses</b>	77,000	85,000
<b>Total</b>	<b>221,000</b>	<b>210,000</b>

### Commissioners' Fees

7. Commissioners' fees are determined by the Scottish Executive and cover attendance at all scheduled Commission meetings 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.
8. 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.
9. Due to the lack of review activity the Commission required to meet on only 6 occasions during 2000 – 2001. The reduced number of meetings is reflected in the amount paid in Commissioners' fees.

### **Staff Salaries**

5. Staff salaries are determined by the Scottish Executive. The shortfall in Staff Salaries occurred because it was not possible to fill the Office Support post within the Secretariat. As a short-term measure a temporary Band A1 officer was employed between October 2000 and March 2001. Further, the full-time Case Officer left the Commission to take up a post in the Scottish Executive from November 2000. It was decided, at that time, to review the post to see if it should be reclassified as a technical post and attract an Information Technology allowance. The post remained vacant for the rest of the reporting year.

### **Accommodation**

6. 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.

### **Travel and Subsistence**

7. 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. The reasons stated above for the shortfall in Commissioners' fees can also account for the deficit in travel and subsistence expenditure.

### **General Expenses**

8. 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.
9. The amount shown for 2000/2001 includes the purchase of upgrades and additional licences in respect of Arcview software installed on the Commission's Geographical Information System. The upgrades enabled two members of the Secretariat staff to use more up to date versions of the Arcview software and purchased five additional licences to allow Commissioners to use Arcview software for Commission business. The Commission also incurred some initial start up costs with respect to the development of its web site.

10. In view of the under spend in other areas, agreement was received from the Sponsor Division to transfer resources from other areas to cover the proposed overspend in general expenses. Overall this still resulted in an under spend in the Commission's budget for 2000/2001 of £11,000.

## **Work Programme for 2001/2002**

1. For the financial year 2001-2002 the Commission's planned expenditure is £236,000. The Commission expects to: -
  - process requests for ad hoc reviews of electoral arrangements or 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 consider whether to a review requires to be initiated;
  - complete guidance on Interim Administrative Review processes and procedures for internal use and for publication on the Commission's Web site
  - progress creation of a knowledge base of the Commission's discussion documents and associated papers, minutes of meetings and reports produced since the creation of the Commission in 1975.
  - manage construction of the Commission's web site with assistance from internet service provider and compile information for inclusion on the site; and
  - resolve ongoing difficulties experienced with respect of the provision of email services for Commissioners.

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