

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 Finance and Central Services 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 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) and the Local Governance (Scotland) Act 2004. In this respect, the Commission is required to conduct statutory reviews of electoral and administrative arrangements on a cyclical basis, respond to requests for ad hoc reviews of administrative arrangements, and monitor local government 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.

Chairman

5. The Chairman of the Commission is Mr John Marjoribanks. Mr Marjoribanks was first appointed Chairman of the Commission on 1 November 2000. He was reappointed for a second term of office in November 2003 which will end in October 2007.

Deputy Chairman

6. The Deputy Chairman is Mr Brian Wilson OBE. Mr Wilson was first appointed as Deputy Chairman on 1 October 1999. He was reappointed for a second term in October 2003 which will end in September 2007.

Commissioners

7. There are currently 4 Commissioners. Professor Hugh Begg and Dr Ann Glen were first appointed on 1 October 1999. Both were reappointed for a second term in October 2003, which will end in September 2007. Scottish Ministers approved the appointment of Mr Richard Millham and Mr Kenneth McDonald on 24 May 2004 for a four-year term ending in May 2008.

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:
 - 9.1 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;
 - 9.2 be accountable to the Scottish Parliament and the public more generally for its activities and for the standard of advice it provides; and
 - 9.3 comply with the terms of the Freedom of Information (Scotland) Act 2002 in continuing to act in the spirit of openness and transparency.
10. The Code of Practice states that Commissioners must:
 - 10.1 follow the Seven Principles of Public Life set out by the Committee on Standards in Public Life;
 - 10.2 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;
 - 10.3 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;

- 10.4 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
 - 10.5 be conscious of their public role and exercise proper discretion when engaging in other political activities.
11. The Code of Practice can be inspected on the Commission's website (www.lgbc-scotland.gov.uk) or at the Commission's Offices at the address on page 15 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:
- 13.1 were paid employees, partners or proprietors of a company, partnership, trust or other body at any time since 1 January 1994;
 - 13.2 held any Company Directorships at any time since 1 January 1994; and
 - 13.3 held membership of a local health authority, health authority and trust, training enterprise council or other relevant voluntary sector body since 1 January 1994.
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 deals directly with all purchases and contracted works following the Scottish Executive's procedures on procurement. Commissioners are not, therefore, involved in purchasing or contractual issues.
15. The Register of Interests can be inspected on the Commission's website (www.lgbc-scotland.gov.uk) or at the Commission's Offices at the address on page 15 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, 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 2004-2005 support to the Commission was provided by six full-time and three part-time staff deployed as follows:

Post	Whole - Time Equivalent
Secretary	0.20
Casework Manager	1.00
Casework Officer(s) - (1 officer employed Feb 05 onwards)	2.00
Network Manager	1.00
Network Assistant - (Employed July 04 to Dec 04)	1.00
General Office Manager	1.00
Office Assistant(s) - (Employed Jan 05 onwards)	1.00

3. From 1 April 1999, the Commission's Secretary has 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. The Local Governance (Scotland) Act 2004 introduced a system of single transferable vote proportional representation (STV-PR) for the local government elections in May 2007. The Commission was, therefore, required to begin a statutory review of local government electoral arrangements in September 2004.

Principal Objectives and Performance

2. The Commission's principal objectives and performance for 2004-2005 were as follows:

2.1 Statutory Administrative Review

Objective: – to start a full cyclical review of Administrative areas as required by legislation, or, in the event of an extension of the Scottish Ministers Direction, respond to requests for interim administrative reviews.

Performance: – a Ministerial Direction dated 31 March 2004, instructed the Commission not to undertake a review of any local government area between 1 April 2004 and 31 March 2008, other than a review which potentially directly affects not more than 50 electors.

The Secretariat received two general enquiries relating to the administrative review process. The enquiries related to the possibility of administrative review being undertaken to:

- o change the boundary between East Lothian and Midlothian Council areas at Cousland; and
- o transfer the Isle of Arran from North Ayrshire to Argyll and Bute Council area.

In both cases the terms of the Ministerial Direction mentioned above prevented the Commission from initiating a formal review and correspondents were informed accordingly.

2.2 Preparation for the anticipated STV Review of Electoral Arrangements

Objective – to design and agree procedures and processes for the expected electoral review.

Performance – in April 2004 the Commission considered the possibility of designing local government electoral wards suitable for STV-PR using Geographic Information Systems (GIS) technology. In the absence of accurate address referenced electorate data the Commission re-examined the potential for utilising existing postcode geography linked to the electoral register as the most suitable means of pursuing the anticipated review. Changes to the way in which the electoral register is maintained allows electoral registration officers to update the register on a monthly basis. Tests indicated that the electoral register data could be successfully linked to postcode geography and that the resulting numbers of electors at postcodes contained on the register but not on the postcode geography files (because of time-lags in the notification process) amounted to around 0.03 per cent of the total electorate, which was considered to be inconsequential where ward electorates were expected to be within the range 2,250 – 24,000.

Methodologies which would provide the means of accounting for changes in the electorate occurring between the review start date and the 5-year time horizon determined by the statutory rules were examined. It was considered that demographic change attributable to new-build and demolition of existing housing stock, used in conjunction with recent occupancy statistics and official population projection data relating to the population aged 18 years and over, would provide a reasonable basis for forecasting electorate at the time-horizon at Council and proposed ward levels.

A Communications Strategy was adopted in July 2004, that all incoming and outgoing communications relating to the review should be handled by the Secretariat. In most circumstances, the Secretary would have responsibility for handling media enquiries. Further, the Commission agreed that a database of interested parties and organisations that would be formally informed of the statutory consultation processed should be constructed and tested prior to the start of the review.

An outline timetable detailing the various stages to be undertaken during the review was approved in August 2004 and Commissioners agreed that it would form the basis for conducting the forthcoming review.

2.3 **Electoral Register Data**

Objective – to ensure that the 2004 Electoral Register is loaded and fully maintained in preparation for the anticipated electoral review.

Performance – a database containing the Electoral Register at December 2003 was built from the base electoral register information statutorily provided by Electoral Registration Officers (ERO). Names were removed from the register and the data were cleaned, in particular to correct partial, missing and invalid postcode information and to allocate electors who provided an institutional or business postcode to the appropriate geographic location within the residential postcode geography. Individual records were aggregated to provide basic counts of electors at each address and, subsequently, sub-sets of statistics for dwellings, postcodes, polling districts and existing local government wards were created for use by Commission staff. These data were updated using monthly change information provided from EROs

Following agreement that the register at July 2004 would be used for the purposes of the review of electoral arrangements, the database was frozen and counts of electorate at each dwelling, postcode, polling district and existing electoral ward level were produced for all local authorities. These data were successfully matched to the August 2004 GIS postcode geography data files and formed the base data for designing the Commission's initial proposals for revised electoral arrangements.

2.4 **Induction of New Staff**

Objective – to induct new staff necessary for the review and ensure staff are trained to use ArcGIS.

Performance – difficulties in recruitment meant that the Commission's Secretariat did not achieve planned staffing levels at any time during the reporting year. Appropriate in-house training in the use of ArcView and ArcGIS and other Commission processes was provided. Newly recruited staff will, if necessary, receive suitable external training in the use of ArcGIS9 software.

2.5 **Commencement of Statutory Review of Electoral Arrangements**

Objective – as required by the Local Governance (Scotland) Act 2004, commence a statutory review of electoral arrangements for the introduction of proportional representation to local government elections in Scotland.

Performance – the Commission announced commencement of the review on 6 September 2004. Arrangements were successfully made to meet with all Councils during the first twelve weeks of the review, as required by the Ministerial Direction issued on 30 August 2004. The meetings were used as a platform for the Commission to present its proposed review methodology and provide an outline timetable for the review. In particular, the Commission stressed the need for Councils to provide information on the perceived extent of communities within their areas. Within the terms of the Ministerial Direction placed upon the Commission, the initial consultation provided Councils with an opportunity to communicate to the Commission any proposals or ideas that it had in relation to the review and to provide any factual information held by the Council that the Commission, or Council, considered relevant to the formulation of proposals for electoral arrangements. A further Ministerial Direction was placed upon Councils requiring their co-operation in taking the review forward.

Maintaining ongoing dialogue on emerging issues, mainly through contact at officer level, the Commission developed initial proposals for each Council area. Prior to the issue of these initial proposals, further meetings were held at official level where officials considered that an informal exchange of information would be useful. Initial proposals were issued to all Councils by 14 March 2005. Thereafter each Council was required, by the terms of the legislation to respond within a period of 2 months. Under the terms of the legislation the Commission was prevented from informing third parties of its initial proposals during its initial consultation with Councils.

2.6 **Freedom of Information (Scotland) Act 2002**

Objective – to fully meet the requirements of the Act and publish an approved publication scheme within required statutory deadline.

Performance – On 5 October 2004, the Commission’s publication scheme received approval from the Scottish Information Commissioner. The scheme was approved for 4 years but the Commission will review it from time to time to ensure it remains relevant. The publication scheme came into effect on 30 November 2004 and was published on the Commission’s web site. During the period to March 2005, the Secretariat responded to 7 requests made under the terms of the Act.

2.7 **Development of the Commission Web Site**

Objective – to develop the Commission website for publication of proposals during STV Review. Allow for the receipt of representations by email from LGBCS website.

Performance – the web site is reviewed at appropriate intervals to ensure that its content is up-to-date and relevant. Under Freedom of Information (FOI), discussion papers and minutes from Commission meetings are available 12 weeks following the date on which minutes are formally approved.

Although the web site has a facility to allow interested parties to email the Commission's Secretariat, a facility for making representations regarding proposals for revised electoral arrangements was added to the Reviews in Progress pages.

Web site statistics indicate that during the year to 31 March 2005, the site received more than 140,000 visits, an average of 11,600 per month. The highest number of visits was recorded during March 2005 when more than 25,000 visits were recorded. Sixty-four per cent of visits originate from addresses out with the UK, with Japan, Australia and the USA (higher education sector) being the 3 main sources of foreign visitors. More than 90 per cent of those visiting the site use the facilities to examine or download maps of existing local government electoral arrangements.

2.8 **Maintenance of links with Ordnance Survey – Use of MasterMap large-scale mapping**

Objective – to maintain and develop links with Ordnance Survey with regard to boundary making process throughout the STV – PR review.

Performance – dialogue continues to be maintained with Ordnance Survey with regard to the boundary making process. Meetings during this year have focused on the use of MasterMap large-scale digital data as the means of accurately defining ward boundaries. OS provided national coverage of MasterMap data at July 2004 and geodatabases for all 32 councils were created and tested and are now in general use within the Secretariat.

A mass storage device which will allow the Commission to implement national coverage of MasterMap (incorporating other local used geographies available to the Commission and postcoded electorate data) using SQL Server and ArcSDE software was purchased and it is anticipated that the necessary databases will be developed during the next financial year.

2.9 **Other Tasks**

Objective – to produce digital records of boundaries in place at the introduction of the region and district structure of local authorities

introduced in 1973 and to record changes made at the first and second statutory reviews.

Performance – digital maps of boundaries of regions, regional electoral divisions, districts and district wards in place following the completion of the first statutory review were completed for all mainland authorities. These data will be used to digitally determine the various local authority boundaries at 1973 and at the completion of the second statutory review.

Expenditure 2004-2005

1. The Commission's running costs for the year 2004-2005 are set out under broad headings in the table below. Figures are rounded to the nearest £100.

Budget and Outturn Performance			
April 2004 - March 2005			
	Expenditure		Variance
	Forecast (£)	Actual (£)	%
Commissioners' Fees	30,000	34,200	14.00
Staff Salaries	270,000	116,300	-56.93
Accommodation (fixed costs) etc	53,000	38,700	-26.98
Travel & Subsistence	11,500	11,900	3.48
General Expenses (mapping, admin. etc.)	139,500	73,100	-47.60
Training	6,000	5,200	-13.33
Total	510,000	245,200	-51.92

Commissioners' Fees

2. 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.

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 travel and subsistence figure shown in the above table.

4. The Commission met on fourteen occasions in 2004 – 2005 and a number of Commissioners attended the Annual Meeting of the UK Boundary Commissions in Belfast in January 2005.

5. Attendance of Commissioners at meetings with Councils, which was a requirement of the review dictated by Ministerial Direction, was the main contributory factor to the overspend.

Staff Salaries

6. The Scottish Executive determines staff salaries. The underspend occurred due to difficulties experienced in the recruitment of staff. The table showing staff deployment earlier in this report, confirms that only 50% of the 11.5 staff budgeted for were employed at the Commission during this reporting year.

Accommodation

7. 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 and office cleaning.

8. When forecasting expenditure for 2004-2005 it was anticipated that business rates would be substantially increased. The expected increase did not materialise and accounted for the underspend on accommodation.

9. Following protracted negotiations, a new lease was agreed with effect from the 12 January 2004. Changes to the lease no longer require the Commission to contribute to the servicing of areas of the building that are unoccupied for more than 4 weeks. This contributed to the underspend in accommodation.

Travel and Subsistence

10. 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.

11. A small overspend occurred because of Commissioners and officials attendance at meetings with Councils as a necessary requirement of the review. Paragraph 5 above refers.

General Expenses

12. General expenses include office equipment and furniture, stationery and other consumables, telephone, facsimile and e-mail, publications and advertising, staff and Commissioner training and computer software maintenance, support and licence fees.

13. The underspend in general expenses occurred because the terms of the legislation and Ministerial Direction prevented the Commission from taking forward the STV-PR review as it had initially anticipated. A substantial amount is accounted for by the requirement to carry out a 12 week initial round of meetings with Councils and to formally consult with Councils for a period of at least 2 months prior to making provisional proposals available for the statutory public consultation process. As a consequence, the anticipated high costs accrued through newspaper advertising and the production of hard copy and digital mapping did not materialise during the financial year.

Work Programme for 2005-2006

1. For the financial year 2005-2006 the Commission's planned expenditure is £574,000
The Commission expects to:

- 1.1 continue progress with the review of electoral arrangements to introduce proportional representation for local government elections in Scotland. Publish provisional proposals, analyse representations received and develop final recommendations for Councils. The extent to which final recommendations will be developed during the financial year will, however, be dependent on general response to the Commission's provisional proposals;
- 1.2 ensure that all appropriate arrangements are made for the publication of Statutory Notices and news releases as well as the distribution of review material to Councils; and
- 1.3 respond to requests for interim administrative reviews in accordance with the revised Directions issued by Scottish Ministers with effect from 1 April 2004;
- 1.4 provide ongoing training as appropriate to meet staff and review requirements;
- 1.5 continue to review and develop the Commission's website, ensuring that it remains a valuable archive of present and past review activity undertaken by this Commission. Use it as an alternative way of informing the public of proposals for future electoral arrangements for local government in their area, providing them with access electronically to maps illustrating the proposals at various scales and allowing them to e-mail their representations directly to the Commission. Consider the development of a postcode look-up facility to enable members of the public to type in their postcode to automatically bring up a map showing electoral arrangements for their area. As and when resources allow, increase the amount of archive material available on the website; and
- 1.6 maintain contact with Ordnance Survey and other relevant bodies on boundary related issues as well as maintaining links with organisations such as the Association of Electoral Administrators.

The Local Government Boundary Commission for Scotland

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