

Review of the Lothian/Borders Regional Boundary at Brothershiels

Report to the Secretary of State for Scotland

Local Government Boundary Commission for Scotland

LOCAL GOVERNMENT BOUNDARY COMMISSION FOR SCOTLAND

Chairman: Mr R A Bennett CBE QC
Deputy Chairman: Mr G Carlton OBE
Members: Professor J B Caird
Mr S McDowall CBE
Mr A R Napier

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TO THE RT HON MALCOLM RIFKIND QC MP
SECRETARY OF STATE FOR SCOTLAND

1. We, the Local Government Boundary Commission for Scotland, present our report on a review which we have carried out on the Lothian/Borders Regional Boundary at Brothershiels.

ORIGIN AND COMMENCEMENT OF REVIEW

2. On 15 May 1985, by means of public advertisement in principal newspapers circulating in Scotland we announced the commencement of a comprehensive review of administrative boundaries called for by section 14(1) of the Local Government (Scotland) Act 1973. Any person interested was invited to apply to us for a copy of the letter which was sent on that same date to the Chief Executives of Regional, Islands and District Councils which requested authorities to submit firm proposals together with reasons and supporting information.

3. On 25 July 1985 Midlothian District Council submitted a proposal for the redrawing of the regional boundary at Brothershiels. They pointed out that whilst property known as Brothershiels is situated within Lothian Region, inhabitants' social and schooling needs are met in Borders Region in the village of Heriot. Additionally a refuse collection service is provided by Ettrick and Lauderdale District Council.

4. We commenced consultations on 29 August 1985, with Lothian Regional Council, Borders Regional Council, Ettrick and Lauderdale District Council, Tynewater Community Council, and we informed Members of Parliament with a constituency interest of the proposal under consideration.

REPRESENTATIONS

5. Borders Regional Council and Ettrick and Lauderdale District Council responded in favour of the proposals, whilst the Rt Hon David Steel MP offered no objections. Lothian Regional Council, however, whilst supporting the proposals were of the view that the area proposed for

transfer should be extended to include additional properties at Nether Brotherstone, Upper Brotherstone and Gilston. No other representations were received.

6. A further round of consultation was carried out with the affected local authorities to seek agreement to the revised proposals of Lothian Regional Council, and a further amendment suggested by the Commission which would result in the whole of the B6368 road being transferred to Borders Region, thus ensuring that maintenance of that road, in particular, snow clearance during the winter months would be the responsibility of one authority.

7. At a site visit to the Brothershiels area, attended by officials from both the Commission and the Planning Department of Midlothian District Council, a boundary alignment was identified, which was considered acceptable. Midlothian District Council, Lothian Regional Council and Borders Regional Council subsequently confirmed agreement to that alignment.

THE COMMISSION'S PROVISIONAL RECOMMENDATION

8. We adopted as our provisional recommendation the boundary alignment identified at the site visit by officials from both the Commission and Midlothian District Council, and subsequently agreed by the above-mentioned local authorities. The recommendation involved proposing the transfer of an area extending to 2216 acres or thereby and containing properties with a total rateable value of £7,069 and with consequential adjustments to the areas of electoral divisions affected in Lothian Region and Borders Region and of wards affected in Midlothian District and Ettrick and Lauderdale District.

PUBLICATION OF THE COMMISSION'S PROVISIONAL RECOMMENDATION

9. On 16 October 1987 we intimated, by public notice in newspapers circulating in the area, our provisional recommendation. We sent copies of the recommendation to all parties with whom we had consultation. Copies were also sent to the Electoral Registration Officers for the

Regions, the Scottish Headquarters of the political parties, the editors of local newspapers, and to the local government press. Comments were invited by 20 November 1987.

CONSIDERATION OF REPRESENTATIONS

10. No objections were received. We have accordingly adopted our provisional proposal as our final recommendation for the Lothian/Borders Regional boundary at Brothershiels.

FINAL RECOMMENDATION

11. Having carried out the review of the said Regions, we recommend that the area, the boundaries of which are described in Schedule 1 to the report and extending to approximately 2216 acres, should be transferred from Midlothian District in Lothian Region to Ettrick and Lauderdale District in Borders Region. We propose that as a consequence of this transfer alterations should be made to wards in Midlothian and Ettrick and Lauderdale Districts as specified in Schedule 2 to the report and to electoral divisions in Lothian and Borders Regions as specified in Schedule 3 to the report. The map incorporated in our report shows the area proposed for transfer and described in Schedule 1 to the report and the new boundary which should be constituted by the transfer.

12. We make our recommendation on the grounds that the revised boundary we have proposed will result in more effective and convenient local government, by transferring an area of ground in the vicinity of Brothershiels from Midlothian District in Lothian Region to Ettrick and Lauderdale District in Borders Region, thereby bringing residents in the affected area within the District from where services are provided, and the B6368 road wholly within Borders Region and so avoiding division of responsibility over maintenance.

13. Our proposals for consequential change in electoral areas are straightforward involving a transfer between related wards and electoral divisions affected. There are 17 electors involved.

PUBLICATION

14. In accordance with the provisions of section 18(3) of the 1973 Act we are arranging for copies of the report to be deposited for inspection by the public at the main offices of Borders Regional Council, Lothian Regional Council, Ettrick and Lauderdale District Council and Midlothian District Council. In addition copies of our report are being sent to those who received our consultation letter and to others who have expressed an interest. Notice is being given in newspapers circulating in the area of the fact that the report has been made. The notice invites interested persons to inspect the report and maps at the offices of the 4 Councils.

R A BENNETT (Chairman)
for the Local Government Boundary
Commission for Scotland

E M C MACKAY (Secretary)
Local Government Boundary
Commission for Scotland
New St Andrew's House
EDINBURGH
EH1 3SZ

25 January 1988

DESCRIPTION OF BOUNDARY OF AREA OF PROPOSED TRANSFER FROM
MIDLOTHIAN DISTRICT IN LOTHIAN REGION TO ETTRICK AND
LAUDERDALE DISTRICT IN BORDERS REGION

Commencing at a point on the existing regional boundary on the north side of the access road to property known as Brothershiels (Grid Ref NT4109 5609) eastwards along the north side of the said access road to a point at the south east corner of a farm out-building (Grid Ref NT4198 5594); then northwards along the west side of a farm track to a point (Grid Ref NT4197 5600); then eastwards across that track, and thereafter by fence line and wall, continuing eastwards, southwards and again eastwards to a point on a wall running alongside the Brothershiels Burn (Grid Ref NT4219 5597); then generally northeastwards along the said wall to a point (Grid Ref NT4330 5731); then continuing northeastwards by fence line to a point (Grid Ref NT4388 5776); then southeastwards by fence line to a point on the north side of the B6368 Road (Grid Ref NT4450 5731); then northeastwards along the west side of the B6368 Road to its junction with the A68 trunk road; thereafter in a straight line across the said trunk road to a point on its eastern boundary (Grid Ref NT4556 5932); then northeastwards then southeastwards along the eastern boundary of the said trunk road to rejoin the existing regional boundary at a point (Grid Ref NT4697 5869); then generally southwestwards then northwards along the said boundary to the point of commencement.

SCHEDULE 2

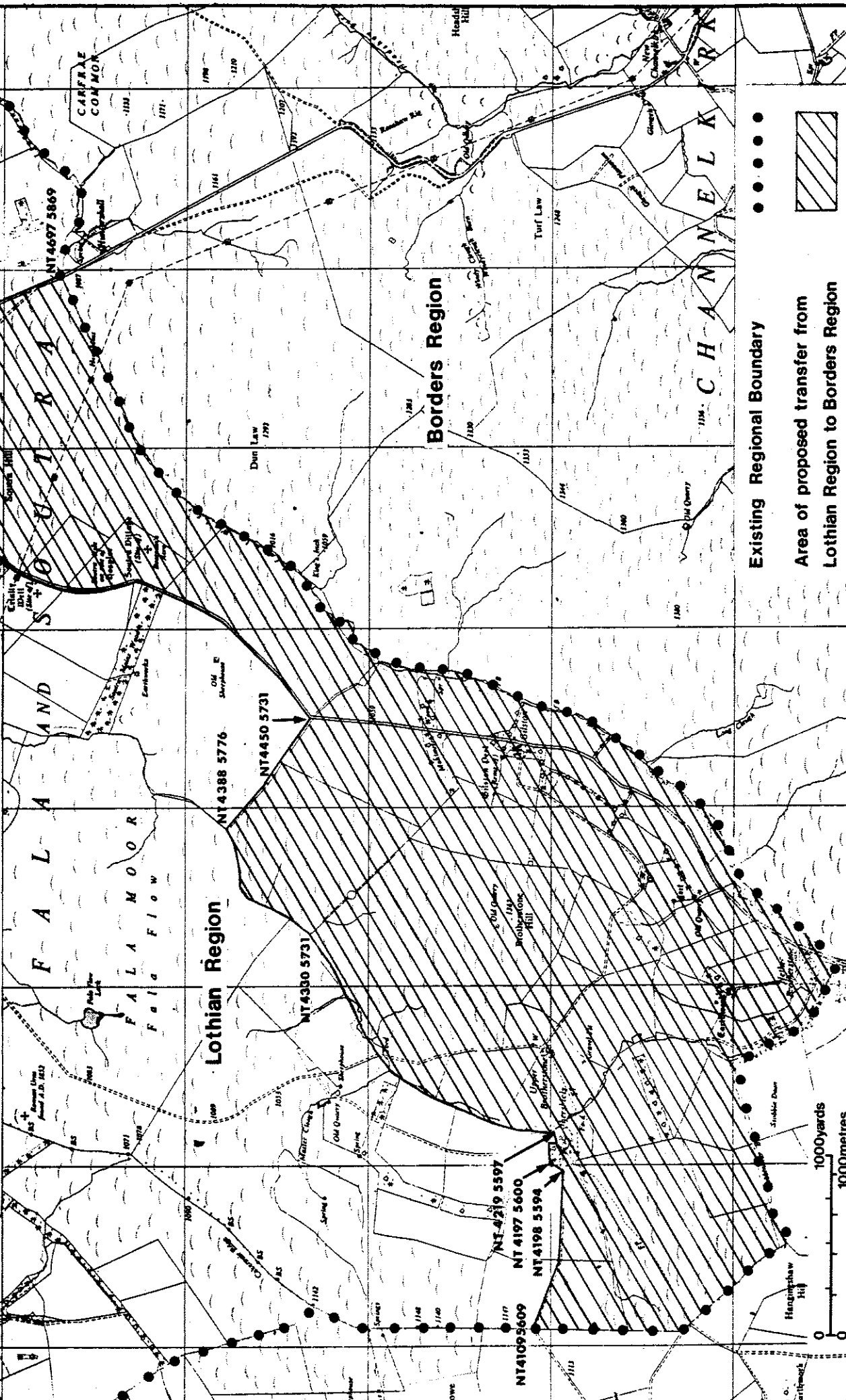
CONSEQUENTIAL ALTERATIONS TO WARD 15 (PATHHEAD) OF MIDLOTHIAN DISTRICT AND WARD 9 (LAUDER) OF ETTRICK AND LAUDERDALE DISTRICT

District	Ward	Proposed Alteration	1987 Electorate	
			Before Alteration	After Alteration
Midlothian	15	The area described in Schedule 1 to this report shall cease to be part of this Ward	4617	4600
Ettrick and Lauderdale	9	The area described in Schedule 1 to this report to be transferred from Ward 15 of Midlothian District to this Ward	1587	1604

CONSEQUENTIAL ALTERATIONS TO ELECTORAL DIVISION 44 (MAYFIELD/
GOREBRIDGE) OF LoTHIAN REGION AND ELECTORAL DIVISION 8
(GALAWATER/LAUDER) OF BORDERS REGION

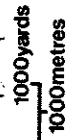
Electoral Division	Present Content	Proposed Content	1987 Electorate	
			Before Alteration	After Alteration
44	Wards 13, 14 and 15 in Midlothian District	Wards 13 and 14 in Midlothian District and Ward 15 in the same District as altered in accordance with the provisions of Schedule 2 to this report	12,950	12,933
8	Wards 9 and 10 in Ettrick and Lauderdale District	Wards 10 in Ettrick and Lauderdale District and Ward 9 in the same District as altered in accordance with the provisions of Schedule 2 to this report	3,348	3,365

REVIEW OF THE LOTHIAN/BORDERS REGIONAL BOUNDARY AT BROTHERSHIELDS



Existing Regional Boundary

Area of proposed transfer from
Lothian Region to Borders Region



F A L A M O O R
F a l a F l o w

Lothian Region

Borders Region

C H A N O N R Y

S O U T H A

CARRIE COMMON

Knoves
Stewarton
Hampshaw Hill
Carrington

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