

THE HIGHLAND COUNCIL

THURSDAY 25 JUNE 2009

Agenda Item	
Report No	

**FIRST REVIEW OF SCOTTISH PARLIAMENTARY CONSTITUENCIES:
REVISED PROPOSALS**

Report by the Chief Executive

Summary

The Report advises the Council of the revised recommendations of the Boundary Commission for Scotland for the 3 Scottish Parliament Constituencies in the Highland Council area. The Commission has also outlined its provisional proposals for Highlands and Islands Region. The Council has one month to make representations (either in support or objecting to the proposals) by 21 June 2009. The Commission will consider this Report as the Council's interim comments and will accept the decision of the Council as a supplementary submission. It is recommended that the Council does not object to the Commission's revised proposals for 3 Constituencies in Highland but does object to the provisional proposals for the Highlands and Islands Region, on the basis outlined below.

1.0 Background

- 1.1 The law concerning electoral arrangements for the Scottish Parliament is set out in Schedule 1 of the Scotland Act 1998, as amended by the Scottish Parliament (Constituencies) Act 2004.
- 1.2 The 1998 Act as amended determines that there are 73 constituencies for the Scottish Parliament. The Act also defines that there are 8 regions which return members to the Scottish Parliament.
- 1.3 The 1998 Act as amended includes a number of rules to be applied when designing constituencies, and a number of rules to be applied when designing regions.
- 1.4 Each constituency returns a single member to the Scottish Parliament. The rules define the electoral quota to be the number obtained by dividing the total electorate for Scotland, excluding Orkney and Shetland, by 71, which is the number of constituencies outside Orkney and Shetland. In simple terms, the electoral quota is the average electorate per constituency. For this review, the electoral quota is 54,728.
- 1.5 Rules 1 and 2 specify that, so far as is practicable, the Commission must have regard to the boundaries of local authority areas, and that the electorate must

be as near to the electoral quota as is practicable. The Commission may depart from the strict application of rules 1 and 2 if special geographical considerations, including in particular the size, shape and accessibility of a constituency, appear to them to render a departure desirable.

1.6 The Commission agreed principles to use when creating its provisional proposals for constituencies:

- constituencies will be wholly contained within a single council area wherever practicable;
- the Commission will try to recognise existing community ties;
- local geographies of the area will be taken into consideration (for example transport links, electoral wards and existing constituency boundaries); and
- special geographical considerations will be considered where appropriate.

1.7 Details of the Commission's proposals were sent to all Council Group Leaders, but no specific comments were received.

2.0 **Revised Proposals**

2.1 The Commission's revised proposals are as follows:-

Existing Constituency	Proposed New Constituency	Comprising Wards	Electorate (2007)
Caithness, Sutherland & Easter Ross	Caithness, Sutherland & Ross	Ward 1 - North, West and Central Sutherland Ward 2 – Thurso Ward 3 – Wick Ward 4 - Landward Caithness Ward 5 - East Sutherland and Edderton Ward 6 – Wester Ross (Part) Ward 7 - Cromarty Firth Ward 8 - Tain and Easter Ross	55,690

Ross, Skye & Inverness West	Skye, Lochaber & Badenoch	Ward 6 - Wester Ross, Strathpeffer and Lochalsh	56,470
		Ward 9 - Dingwall and Seaforth	
		Ward 10 – Black Isle	
		Ward 11 - Eilean a' Cheò	
		Ward 12 - Caol & Mallaig	
		Ward 13 - Aird and Loch Ness	
		Ward 22 - Fort William & Ardnamurchan	
Inverness East, Nairn & Lochaber	Inverness & Nairn	Ward 14 - Inverness West	61,600
		Ward 15 - Inverness Central	
		Ward 16 - Inverness Ness-side	
		Ward 17 -Inverness Millburn	
		Ward 18 – Culloden & Ardersier	
		Ward 20 - Inverness South	
		Ward 19 - Nairn	
		Ward 21 - Badenoch and Strathspey (part)	

The changes to the Commission's Provisional Proposals can be summarised as follows:

- Ward 10 (Black Isle) has been transferred to Skye, Lochaber and Badenoch constituency (West Highland under the earlier proposals) from Caithness, Sutherland and Ross constituency (North Highland under the earlier proposals) and an area to the north of Stromeferry, in Ward 6 (Wester Ross, Strathpeffer & Lochalsh), has been transferred in the

opposite direction; and

- all of Ward 14 (Inverness West) has been placed in Inverness and Nairn constituency (East Highland under the earlier proposals) and in Ward 21 (Badenoch & Strathspey), the area from Aviemore south and westwards has been transferred to Skye, Lochaber and Badenoch (West Highland under the earlier proposals).

2.2 A map detailing the proposals can be found on the [Council's website](#).

2.3 The Commission's revised proposals virtually match the alternative proposal put forward by the Council at its meeting of 6 March 2008. The only difference is that the Commission has split Ward 21 (Badenoch & Strathspey), whereas the Council's proposal did not. An extract from the Minute of Meeting of the Highland Council held on 6 March 2008 is appended to this Report for the information of Members.

2.4 In formulating its response in March 2008, the Council wanted, so far as possible the whole of the City of Inverness in a single constituency and the Black Isle (Ward 10) to remain with Mid Ross. These two constraints, together with the need to pay due cognisance to the electoral quota, force the south-western boundary of Caithness, Sutherland and Easter Ross from north of Achiltibuie to Strome Ferry at Loch Carron. In the east, Badenoch and Strathspey (Ward 21) has been split to reduce the electorate of the Inverness and Nairn Constituency

3.0 **Highlands & Islands Region**

3.1 The Commission's proposals for the Highlands and Islands Region increases the electorate to 388,990 (from 339,633). It is proposed that the Region comprise of the constituencies of Argyllshire and Bute; Caithness, Sutherland and Ross; Dumbarton; Inverness and Nairn; Moray; Na h-Eileanan an Iar; Orkney Islands; Shetland Islands; Skye, Lochaber and Badenoch.

3.2 A map detailing the proposed Region can be found [here](#).

3.3 It is suggested that the proposals to extend the south-western boundary of the Region to include Helensburgh and Dumbarton is not supported. At present, there is some commonality with the Highlands and Islands Councils, Highlands and Islands Enterprise and NHS Highland. The introduction of Dumbarton, where there are no known links to this geographic area, therefore appears to have no logical basis other than a balance of numbers. Consequently, it is suggested that the Council object to the inclusion of the Dumbarton Constituency in the Highlands and Islands Region.

4.0 **What Happens Next**

4.1 The Commission is required to consider any representations concerning its provisional proposals made within a limited period of **one month** from the date of publication of the Statutory Notice. Representations have to be made to the Commission by 21 June 2009. A copy of this Report has been sent to the

Commission to form part of the Council's submission. The Commission will accept an addendum outlining the decision of the Council at this meeting.

- 4.2 The Commission has already held a Local Inquiry (during the period 19 – 20 November 2008) on its provisional proposals for the 3 Highland Constituencies. If the Council, or by a body of 100 or more electors resident in the proposed constituency, object to these proposals, a Local Inquiry may be held, but is not obligatory.
- 4.3 Where representations objecting to a proposal concerning a Region are made by a council whose area is wholly or partly within the Region, or by a body of 500 or more electors in the proposed Region, and no Local Inquiry has already been held about the proposal as part of the review, the Commission will hold a Local Inquiry.

5.0 Highland Council's Response

- 5.1 The Commission's revised proposals virtually match the alternative proposal put forward by the Council at its meeting of 6 March 2008. The only difference is that the Commission has split Ward 21 (Badenoch & Strathspey).
- 5.2 The Electoral Quota for the Scottish Parliament Constituencies is 54,728 and the electorate in Highland is 173,760. The proposed Inverness and Nairn Constituency would be some 12% above the electoral quota, the other two Constituencies meet the quota and therefore it would be very difficult to argue what benefit would be gained by moving away from the position.
- 5.3 It is therefore suggested that the Council do not object to the Commission's revised Constituency proposals.
- 5.4 In regard to the Highlands & Islands Region, it is suggested that the Council object to the inclusion of the Dumbarton Constituency in the Highlands and Islands Region.

6.0 Recommendation

It is recommended that the Council does not object the Boundary Commission for Scotland's revised proposals for the three Constituencies in Highland but does object to the proposals for the Highlands & Islands Region, on the basis outlined in Sections 2 and 3 above.

Signature:

Designation: Chief Executive

Date: 9 June 2009

Author: John Bruce, Elections Manager

Background Papers :- Boundary Commission Publications at <http://www.bcomm-scotland.gov.uk/>

And Highland Council publications at <http://www.highland.gov.uk/yourcouncil/elections/newboundarymaps-wards/>

APPENDIX

Extract from the Minute of Meeting of the Highland Council held on 6 March 2008

12. First Review of Scottish Parliamentary Constituencies

There had been circulated Report No. [HC-52-07](#) dated 22 February 2008 by the Chief Executive which advised of the provisional proposals of the Boundary Commission for Scotland for the 3 Scottish Parliament constituencies in the Highland Council area. The Council had been asked to make representations (either in support or objection to the proposals) by 14 March 2008 and in this regard a [map](#) which highlighted the proposed constituencies had also been circulated.

During a summary of the report, it was confirmed that Rules 1 and 2 of the Scotland Act 1998 specified that, so far as was practicable, the Boundary Commission must have regard to the boundaries of local authority areas and that the electorate must be as near to the electoral quota as is practicable. The Commission could depart from the strict application of Rules 1 and 2 if special geographical considerations, including in particular the size, shape and accessibility of a constituency, appeared to them to render a departure desirable.

It was clear, however, that the Boundary Commission had not applied any special consideration to Highland and it was suggested that the Council should formally object to the division of the area into 3 constituencies and request that the area should be represented by 4 MSPs as detailed in Section 4 of the report.

Decision

The Council **AGREED** to object to the provisional proposals from the Boundary Commission for Scotland for 3 constituencies in Highland on the basis outlined in Section 4 of the report.