

Agenda Item	20
Report No	HC/46/20

THE HIGHLAND COUNCIL

Date: 17 December 2020

Report Title: **2020 Review of Electoral Arrangements – Highland Council**

Report By: ECO Performance & Governance

1. Purpose/Executive Summary

- 1.1 Members discussed the Local Government Boundary Commission for Scotland's proposals for the electoral arrangements for Highland at the Council meeting in September 2020 and agreed unanimously to reject the proposals in their entirety as they stood. At that time the Council also decided that it should not approach the Boundary Commission to change their recommendations to more appropriately reflect the requirements of a large Local Authority that had a mixture of urban, rural and island wards. Instead, the Council agreed to press Scottish Ministers to cease the review, review the remit of the Boundary Commission in regard to rural Authorities, lift the cap on total Councillor numbers, and provide for greater discretion in the application of parity ratios.
- 1.2 The Council's Boundary Review Member Working Group met on 20 November to appraise the position in the light of the Boundary Commission launching the public engagement phase of the consultation. At that meeting a number of actions were agreed, including formally contacting the Boundary Commission directly regarding the concerns expressed about their proposals. As this is a departure from what had previously been agreed at Council, this has been brought forward for Member approval and will require a suspension of Standing Orders as it is within 6 months of the previous decision.

2. Recommendations

- 2.1 Members are asked to:
1. Agree to write formally to the Boundary Commission as set out in paragraph 6.3;
 2. Note the actions that have been taken and those that are underway to lobby for a change in the Boundary Commission's approach.

3. Implications

- 3.1 There are no financial implications.
- 3.2 Rural and Community implications: The proposals adversely affect rural areas in particular, Caithness, Sutherland, Wester Ross and Eilean a' Cheò which would all see a reduction in member representation. The proposals overall show a reduction from 74 to 72 members and will be in place as of the May 2022 full Council election.

A reduction in councillors will have a significant detrimental impact on rural communities. Councillors will be required to cover even larger geographic areas with no reduction in the number of community councils, schools or community groups and initiatives seeking engagement with their local councillor, resulting in a democratic deficit for the communities in question.

- 3.3 Gaelic implications: With the ongoing threat to the Gaelic Language and Skye & Raasay home to 2 of the Gaelic strongholds in Highland, the current proposal, poses a further risk to the Gaelic language by weakening the democratic support.
- 3.4 There are no Legal, Climate Change/ Carbon Clever or Risk implications

4. Timetable

- 4.1 The second period of consultation is due to be completed on 26 January 2021 and the Boundary Commission aims to report final proposals to Scottish Ministers by May next year. If approved, the new boundaries and member representation will be used for the next full Council elections in May 2022.

5. Legislative context

- 5.1 The Commission works under the Local Government (Scotland) Act 1973 which states “the number of electors per councillor in each ward shall be, as nearly as may be, the same” Under that Act Scottish Ministers may give direction generally or in relation to a review.
- 5.2 The different ratios adopted by the Commission for the 5th Reviews and this review, come from feedback to a consultation the Commission conducted in 2011. The Commission have used a parity ratio of 2800:1 electors to each member for Highland whilst they apply an 800:1 parity ratio for the three Islands Authorities. The Boundary Commission has some discretion in this matter and agreed a final Highland parity ratio in 2016 of 2458:1.

6. Member Engagement

- 6.1 The cross Council working group established by the Council met again in November to discuss next steps with regard to the Council’s response to the Review. It was noted that the Council had engaged with the Commission at officer level following the last Council meeting to convey the outcome. However, no formal contact had been made because the recommendation to write to the Commission had been removed at Council in favour of a focus solely on ministerial engagement, and there had been no new recommendation agreed regarding formal Commission engagement by the Council.

- 6.2 The Group was informed that there had been no response from the Scottish Government at that stage. It was noted that the Leader had written to all community councils to encourage them to engage with the Review and individual members had done the same locally. The following actions were agreed:
- to pursue meetings with Highland MPs and MSPs to explain the extremely detrimental impact that the Commission's proposals would have for Highland communities and seek their support in lobbying for these to be halted;
 - to write again to community councils with a detailed area based analysis of the Review's recommendations and to encourage them to respond to the consultation;
 - to continue to press Scottish ministers to cease the Review and support legislative change.

These actions are all either complete or underway.

- 6.3 In addition, the Group agreed that the Council should write formally to the Commission to reiterate the public position it had already taken to reject all of the proposals in their entirety and seek a halt to the Review; to express the view that democracy was being seriously undermined and that the approach was entirely divergent to the provisions of the Islands Act and so contrary to the original purpose of the Review; and provide a detailed analysis of all of the inconsistencies and damage that would be caused by their proposals.
- 6.4 Members are asked to agree that the Council should formally engage with the Boundary Commission as set out above.

Designation: ECO Performance & Governance

Date: 04.12.20

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Background Papers:

Islands (Scotland) Act 2018

Scottish Electoral (Reform) Act 2020

[http://www.lgbc-scotland.gov.uk/sites/default/files/LGBCS_2527_\(Highland_Review\).pdf](http://www.lgbc-scotland.gov.uk/sites/default/files/LGBCS_2527_(Highland_Review).pdf)

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