

EAST RENFREWSHIRE COUNCIL15 June 2016Report by Chief ExecutiveFIFTH REVIEW OF ELECTORAL ARRANGEMENTS
LOCAL GOVERNMENT BOUNDARY COMMISSION FOR SCOTLAND**PURPOSE OF THE REPORT**

1. The purpose of the report is to seek Council's response following the publication of the final recommendations from the Local Government Boundary Commission for Scotland (the Commission).

RECOMMENDATIONS

2. To seek Council's view on the following:-
- Submit a formal response within the 6 week consultation period to Scottish Ministers to reiterate the Council's fundamental opposition to the ward redesign proposals which are the result of the application of a flawed methodology and
 - thereafter depending upon the decision of Scottish Ministers and level of interest from other councils, to proceed with legal action to defend the Council's position in the interests of effective and convenient local government.

BACKGROUND

3. At a special Council meeting on 27 May 2015, it was agreed to reject the Commission's proposal for the redesign of wards and that the Council should seek to maintain the status quo and reiterate to the Commission the Council's fundamental opposition to the use of deprivation within the methodology for determining councillor numbers as per the response to the first phase of the consultation in 2014.

4. If the methodology for determining councillor numbers had remained the same as previous reviews, the Council would have maintained its current position. These recommendations, if accepted by Scottish Ministers, will lead to significant changes to ward design. These changes do not respect local communities, break community ties and will cause upheaval on a scale which is disproportionate and unnecessary. Since there is significant opposition to the use of this untested methodology across Scotland and the timescales are very tight for implementation of the changes, it would be prudent to maintain the status quo.

5. At the Council meeting on 28 October 2015, it was agreed to reiterate to the Commission the Council's fundamental opposition to the ward redesign proposals which are the result of the application of a flawed methodology; to call on the Commission to hold a local inquiry into the impact on East Renfrewshire of the Review of Electoral Arrangements and to communicate with Scottish Ministers over the Council's concerns with the proposed methodology for the Fifth Review of Electoral Arrangements.

REPORT

6. On 26 May 2016, the Council received the final recommendations from the Commission (Appendix 1). The Commission does not put boundaries into place: it makes recommendations to Scottish Ministers who can accept, modify or reject revised electoral arrangements proposed by the Commission. Under legislation, the Council has a 6 week fixed period to express the Council's views to Scottish Ministers. Therefore, from 7 July 2016 onwards, Scottish Ministers will consider the views provided and decide on what action to take.

7. Despite repeated attempts to reiterate our fundamental opposition to the application of a flawed, untested methodology for the fifth review, the final recommendations fail to address any of the Council's concerns. Due to the inclusion of deprivation as a factor used to determine councillor numbers, this change has resulted in a reduction from 6 to 5 wards.

8. Barrhead has always been a single community council area. It is an area of distinct character with its own history and strong community spirit. The Commission's recommendations require Barrhead to include the rural area north of Neilston along with Uplawmoor. However, Uplawmoor is nearest to Neilston town and it has the strongest community links with this area. Neilston town is included within the Newton Mearns North ward.

9. It is important to note that all these changes have resulted from the very sudden change in methodology to include deprivation. This change was never consulted upon, remains untested and after repeated requests, it is clear that there is insufficient evidence to provide support for the view that there is a link between deprivation and increased councillor workload. In October 2014, the Commission commissioned research into councillor workload but they have stated that this research will not influence this review and will only be used to inform the Sixth Review (due to take place between 2022-2026).

10. The effect of the inclusion of deprivation as a factor in the determination of councillors numbers and subsequent ward redesign should not be underestimated. The inclusion of this factor resulted in an outcome for East Renfrewshire which is completely different than it would have been without this factor. This is also the case for the majority of other councils e.g. Dundee and Inverclyde would not have received an additional two councillors, North Lanarkshire would have received one additional councillor instead of seven councillors.

11. It is now also clear that the Commission was unable to achieve the principle of enhanced representation for deprived areas at ward design stage, due to the need to ensure electoral parity and therefore has taken a flawed, inconsistent approach resulting in less electoral representation in many deprived areas.

12. In the SNP Manifesto, there was mention of the Local Government Boundary Commission and that the SNP would not seek to implement the Commission's findings in whole especially where there was negative impact on communities.

"Following the report of the independent review of local government ward boundaries we will protect local communities by taking forward changes only where communities have been adequately respected in the new proposed arrangements."

13. In October 2015, the COSLA Convention agreed to continue to seek to influence the Local Government Boundary Commission to seek a clear, comprehensive and evidence based review. They also agreed that if a shift was not possible at that stage,

the focus of effort should be shifted to working with Ministers to seek a satisfactory solution for those Councils who were unhappy with the process and that the Presidential team and Group Leaders be authorised to undertake those discussions on Convention's behalf. A report will be presented to the Convention meeting on 24 June and a letter is ready to go to the new Local Government Minister, Kevin Stewart, seeking urgent clarification of the Scottish Government's plans to respond to the Boundary Commission report.

14. According to recent media reports, there continues to be significant opposition from other councils to the Commission's recommendations. There are several councils who have gained additional councillors though this change in methodology and who do not feel that the changes are justified or welcome. The Commission received an unprecedented volume of objections to their proposals from many councils during the consultation period, potentially the highest response to any electoral review. Many community groups cited the changes divided communities and were extremely unwelcome.

CONCLUSION

15. The Council is concerned that the way in which ward boundaries have been redrawn and that the changes in elector to councillor ratios will have an adverse impact on communities. The Council believes that the current methodology adopted by the Commission appears inconsistent with the use of deprivation to determine councillor numbers then reverting back to parity as the main consideration of ward design without any further consideration of the distribution of deprivation in individual wards. The recommendations from the Commission do not respect local communities and will cause upheaval on a scale which is disproportionate and unnecessary. There is significant opposition to the use of this untested methodology across Scotland and since the timescales are very tight for implementation of the changes, it would be prudent to maintain the status quo.

RECOMMENDATIONS

16. To seek Council's view on the following:-

- Submit a formal response within the 6 week consultation period to Scottish Ministers to reiterate the Council's fundamental opposition to the ward redesign proposals which are the result of the application of a flawed methodology and
- thereafter depending upon the decision of Scottish Ministers and level of interest from other councils, to proceed with legal action to defend the Council's position in the interests of effective and convenient local government.

Lorraine McMillan, Chief Executive

Report Date – 07 June 2016

APPENDICES

Appendix 1 Final recommendations from the Local Government Boundary Commission for Scotland (Fifth Review)

BACKGROUND PAPERS

- 28 Oct 2015 Council report- Local Government Boundary Commission for Scotland- Fifth Review of Electoral Arrangements.
- 27 May 2015 Council report- Phase 2 Local Government Boundary Commission for Scotland- Fifth Review of Electoral Arrangements- ward design proposals.
- 14 May 2014 Council report Phase 1- Local Government Boundary Commission for Scotland- Fifth Review of Electoral Arrangements- determination of councillor numbers.

Recent press releases from other councils/ media

<https://www.eveningtelegraph.co.uk/2016/05/27/anger-broughty-ferry-boundary-proposal/>

<https://www.thecourier.co.uk/fp/news/local/dundee/179791/broughty-ferry-slashed-two-boundary-commission-recommends/>

<https://www.thecourier.co.uk/fp/news/local/dundee/180366/senior-msp-pledges-intervene-broughty-ferry-boundary-row/>

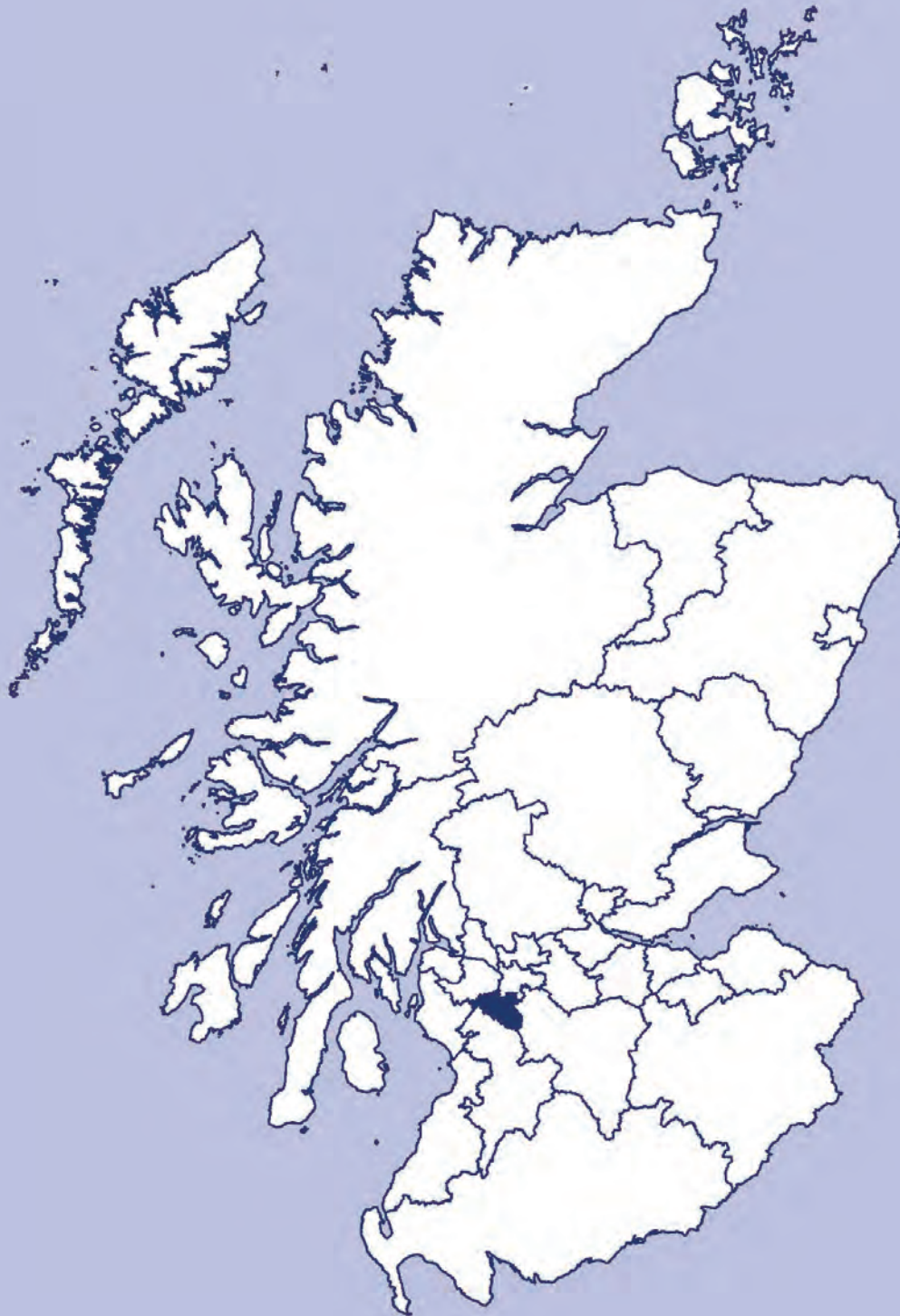
<http://www.gallowaygazette.co.uk/news/local-headlines/councillors-to-be-cut-by-four-1-4138801>

<http://www.bbc.co.uk/news/uk-scotland-south-scotland-36389135>

KEY WORDS

This report provides the Council with an update on the current position in relation to the Local Government Boundary Commission for Scotland's (Commission) recommendations for ward design in East Renfrewshire Council as part of the Fifth Review of Electoral Arrangements.

Fifth Statutory Review of Electoral Arrangements Final Recommendations



East Renfrewshire Council Area

Report to Scottish Ministers

Local Government Boundary Commission for Scotland

Fifth Statutory Review of Electoral Arrangements Final Recommendations East Renfrewshire Council Area

Membership of the Commission

Chair:	Ronnie Hinds
Deputy Chair:	William Magee OBE
Commissioners:	Roland Bean
	Professor Ailsa Henderson
	Dr Susan Walker OBE

Report Number E16011

May 2016


Local Government Boundary Commission for Scotland

Scottish Ministers

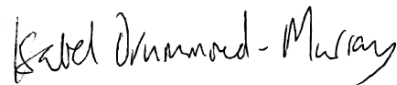
We, the Local Government Boundary Commission for Scotland, present our recommendations for East Renfrewshire Council area resulting from our Fifth Statutory Review of Electoral Arrangements.

In accordance with the provisions of section 18(3) of the Local Government (Scotland) Act 1973, copies of our report, together with illustrative maps, are being sent to East Renfrewshire Council with a request that the report and maps should be made available for public inspection at its offices.

Notice is also being given in newspapers circulating in the council area of the fact that the report has been made so that interested persons may inspect the report and maps at the council's offices. The report is also available on our website and is being publicised on social media.



Ronnie Hinds
Chair



Isabel Drummond-Murray
Secretary

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Part 1 Background

East Renfrewshire Council area

1. East Renfrewshire Council area is located in central Scotland, sharing borders with East Ayrshire, North Ayrshire, South Lanarkshire, Glasgow City and Renfrewshire Council areas. East Renfrewshire covers an area of 174 square kilometres. The council's headquarters are based in Giffnock, while the largest settlement is Newton Mearns.
2. Just under a twentieth of the population (3.9%) of East Renfrewshire Council area live outwith settlements of 3,000 or more people. It is therefore one of Scotland's most urban council areas.
3. Based on the Scottish Index of Multiple Deprivation (SIMD) 2012, the percentage of East Renfrewshire Council area's population in Scotland's 15% most deprived datazones is 5.5%. East Renfrewshire Council area contains 7 datazones within the 15% most deprived datazones in Scotland; these are located in Barrhead and Neilston. This is a below-average level of deprivation compared to other council areas in Scotland.
4. The National Records of Scotland's (NRS) 2010 population projection (published in 2012) states that East Renfrewshire Council area's population is projected to increase from 91,198 in 2014 to 91,841 by 2019.
5. At the beginning of the review East Renfrewshire Council area's electorate was 69,322 (at September 2013). The number of dwellings in the area was 37,448 (based on NRS 2012 data).
6. The existing electoral arrangements consist of 20 councillors representing 2 4-member wards and 4 3-member wards (see Appendix A: Existing and Recommended Wards).

Local Government Boundary Commission for Scotland

7. The Local Government Boundary Commission for Scotland was established under the Local Government (Scotland) Act 1973 as an independent body with responsibility for keeping under review local government arrangements in Scotland.
8. We are required to conduct electoral reviews of each council area at intervals of 8 to 12 years, as specified in Section 16 of the Local Government (Scotland) Act 1973. We last completed such reviews in 2006. Those reviews introduced multi-member wards but councillor numbers were not amended. Our Third Review, concluded in 1997, was the last time councillor numbers throughout Scotland were amended.

Legislative requirements

9. The legislation which sets out the rules for electoral reviews is Part II of the Local Government (Scotland) Act 1973. When making our recommendations, we must consider the criteria set out in Section 13 and Schedule 6 of that Act.
10. Section 13 sets out that we should conduct our reviews with an overall aim of acting in the interests of effective and convenient local government. Schedule 6 sets out more specific requirements.
11. The full text of Schedule 6 is in Appendix B, and its requirements are:
 - the number of electors per councillor in each ward shall be, as nearly as may be, the same;
 - subject to this, we shall have regard to:
 - local ties that would be broken by fixing a particular boundary; and
 - the desirability of fixing boundaries that are easily identifiable with the first of these taking precedence over the second;
 - we may depart from the strict application of electoral parity to reflect special geographical considerations.
12. Each ward must elect 3 or 4 councillors.
13. When recommending ward boundaries, we take into account the likely change in the number of electors in a council area within the 5 years immediately following our consideration.
14. There were no Ministerial directions in place when we conducted our reviews, but Scottish Ministers informed us at the start of the reviews that they would find it difficult to justify an increase in councillor numbers at that time. Our recommendations maintain overall councillor numbers in Scotland at a similar level as at present.

Fifth Reviews of Electoral Arrangements

15. This review is one of 32 being conducted across Scotland to make recommendations for the number of councillors on each council, the number of councillors in each ward, the boundaries of each ward and the recommended ward name.
16. Overall the recommendations provide for 1,219 councillors in 351 wards: a decrease of 4 councillors and 2 wards relative to existing arrangements.
17. Across Scotland as a whole, 94% of electors will be in wards where variation from parity is within 10% of the average for their council area, compared to less than 84% of electors under existing arrangements.
18. Across Scotland, the variation from parity between councillors will reduce from 6% currently to 5%. This means that representation of the electorate within council areas will be more evenly shared between councillors.

Issues considered

Effective and convenient local government

19. There is no statutory definition of effective and convenient local government. It is, however, the fundamental consideration for recommendations arising from any of our reviews.
20. Our approach recognised that effective and convenient local government has to balance effectiveness and convenience for a council, councillors and residents. For example:
- councils need to manage and deliver diverse services across their council areas;
 - councillors need to be able to carry out their functions including representing the residents in their areas; and
 - residents seek effectiveness and convenience when they use local services and participate in local democracy.

Determining councillor numbers in council areas

21. Our previous methodology for determining councillor numbers was based on population. Given the diversity found across the council areas in Scotland we categorised each council into one of 7 categories, and applied the same ratio of electors per councillor to all councils in a single category. This means we had different ratios of electors to councillors in, for example, Glasgow City and Na h-Eileanan an Iar.
22. Prior to the formal commencement of the Fifth Reviews of electoral arrangements, we conducted a public consultation in 2011 on how to determine councillor numbers for the Fifth Reviews. We consulted with the public, councils, MSPs, COSLA, political parties and other interested stakeholders. The responses to that consultation suggested that we should continue to take a consistent, objective and transparent approach to setting councillor numbers.
23. The responses generally indicated:
- no widespread support for a significant increase or decrease in councillor numbers;
 - support for the continued categorisation of councils so that a common ratio of electors to councillors applies to all councils with broadly similar characteristics;
 - support for a reduction in the number of categories from the 7 used previously;
 - suggestions of various factors, including deprivation and rurality, to be used in a transparent methodology for categorising councils which share common characteristics; and
 - support for minimum and maximum councillor numbers in a council area.

24. The methodology we adopted for the Fifth Reviews:
- used measures of population size as the key determinant of councillor numbers;
 - used a categorisation which relied on population distribution and a composite measure capturing the socio-economic conditions in the council;
 - employed measures aligned with common indicators used by the Scottish Government;
 - led to the creation of 5 categories of council area;
 - introduced a more equal range of elector to councillor ratios from 800 to 3,800. Most councils range between 2,800 to 3,800 electors per councillor;
 - maintained the minimum number of 18 councillors per council area and raised the maximum to 85; and
 - set a cap on change of councillor numbers in any council area of 10%. This was designed to minimise disruption for a council's governance.
25. Overall, population size remained the key factor in determining councillor numbers. We considered that population dispersal is an important factor in determining councillor numbers but we also considered that socio-economic characteristics, and in particular the composite measure gathered by SIMD data, provide a reasonable indicator for a range of factors that impact on the work of councils and councillors.
26. We used settlements and population data from NRS and SIMD data for East Renfrewshire Council area. SIMD is determined independently by government statisticians in conjunction with the ScotStat Measuring Deprivation Advisory Group. SIMD combines weighted scores based on seven different dimensions of deprivation: employment, income, geographic access, crime, housing, health and education. We have used the 2012 SIMD dataset, the most recent available at the time we commenced work on categorisation. These datasets are calculated and published every 3 years by the Scottish Government.
27. For these reviews we maintained the minimum number of councillors at 18, as we considered this to be the minimum number of councillors to allow a council to operate effectively. However, we have extended the upper limit of councillors from 80 to 85 to increase the flexibility available to us and enable the ratios of electors to councillors to be more equal across Scotland in respect of the Fifth Reviews.
28. We were aware that a large change in councillor numbers in a council area could be disruptive to a council's governance, so we incorporated a 10% limit on change. This means that, as a rule, we have not proposed, as a result of our methodology for determining councillor numbers, to increase or decrease the total number of councillors in a council area by more than 10%.
29. We used cluster analysis to support our development of categories and placed each council area into 1 of 5 categories. We agreed on 5 categories to reflect Scotland's diverse demography, including levels of population dispersal and deprivation within council areas. The ratio of electors to councillors for each

category, and the council areas we have placed in each, is shown in Table 1 below.

Table 1: Ratio of electors to councillors

Category	Criteria used to classify councils	Ratio	Council area
1	Less than 30% of the population living outwith settlements of 3,000 or more people AND 30% or more of the population living in the 15% most deprived datazones	2,800	Glasgow City Inverclyde
2	Less than 30% of the population living outwith settlements of 3,000 or more people AND 15% or more and less than 30% of the population living in the 15% most deprived datazones	3,000	Clackmannanshire Dundee City East Ayrshire North Ayrshire North Lanarkshire Renfrewshire West Dunbartonshire
3	Less than 30% of the population living outwith settlements of 3,000 or more people AND less than 15% of the population living in the 15% most deprived datazones	3,800	Aberdeen City Angus City of Edinburgh East Dunbartonshire East Lothian East Renfrewshire Falkirk Fife Midlothian South Ayrshire South Lanarkshire West Lothian
4	Between 30% and 59% of the population living outwith settlements of 3,000 or more people AND less than 15% of the population living in the 15% most deprived datazones	2,800	Aberdeenshire Argyll and Bute Dumfries and Galloway Highland Moray Perth and Kinross Scottish Borders Stirling
5	60% or more of the population living outwith settlements of 3,000 or more people AND less than 15% of the population living in the 15% most deprived datazones	800	Na h-Eileanan an Iar Orkney Islands Shetland Islands

30. The overall effect of our methodology is to retain core existing elements of the previous methodology but also introduce changes that would make the ratios of electors to councillors more equal across Scotland. The methodology also now draws on factors frequently used by the Scottish Government (such as the current measures for population distribution and the use of SIMD data that are used as policy tools) to categorise the council areas. This had the added benefit of not measuring the same factor twice, as was the case when using both population density and population distribution.

31. Our methodology placed East Renfrewshire Council area within category 3 (see Appendix C: Categorising Councils Matrix), as one of the most urban council areas with below-average deprivation, with a ratio of electors per councillor of 3,800.

Electorate data

32. At the start of the review, we obtained the electoral register as at 1 September 2013 from the Electoral Registration Officer for East Renfrewshire Council area. This dataset included postcodes, which allowed us to calculate the electorate for each postcode in the area under consideration, and hence for each proposed ward.

33. We used September 2013 electorate data because that was the most recent dataset available when we began work on the review. We used the local government electorate, that is those on the electoral register who are aged 18 and over and registered to vote in local government elections. The local government electorate at September 2013 was 69,322 in East Renfrewshire Council area.

34. In line with the rules governing reviews, when considering electoral parity we had regard to the likely change in the number and distribution of the local government electorate over a 5-year period immediately following our consideration of the electoral arrangements.

35. To assist us we asked East Renfrewshire Council to provide us with forecasts of new house building, residential property demolitions and institutional development (such as students' halls of residence) that are likely to be occupied within the next 5 years. East Renfrewshire Council provided us with data based on its 2013 Residential Land Audit, which documented expected new residential and institutional development, as well as demolition within its area over the 5-year period.

36. From these datasets, combined with data on the average number of electors per dwelling in the area, we calculated a forecast electorate. We also used population projections from NRS. Using these, we scaled the forecast electorate to reflect the projected population change 5 years hence.

37. Fluctuations in population not incorporated into our forecasts will be taken into consideration in subsequent electoral reviews. The next electoral reviews are our interim reviews scheduled for 2021.

Ward design

38. The Local Governance (Scotland) Act 2004 specifies that each ward will return either 3 or 4 councillors. The choice of the number of councillors for each ward has been determined by the overall pattern of wards we considered to be appropriate for the area to deliver effective and convenient local government and to achieve good electoral parity.

Electoral parity

39. One of the principal aims of a review is to make recommendations that provide for a good level of electoral parity. Electoral parity means having the same number of electors per councillor in all wards in a council area.

40. Subject to effective and convenient local government, the legislation gives priority to electoral parity over other factors in ward design, except where special geographical circumstances apply.

41. We worked out the theoretical number of electors each councillor should represent by dividing the total number of electors in the council area in September 2013 by the proposed number of councillors. This produced a ratio of electors per councillor for each council area. The ratio allowed us to apply the requirement in the legislation that the number of electors per councillor is 'as nearly as may be' the same. A 3-member ward and 4-member ward would have 3 and 4 times this number of electors respectively.

42. Once we had calculated the number of electors per councillor, we measured how far the electorate in each ward deviated from that number. When formulating our recommendations, we sought to achieve ratios that were acceptable in every ward. We aimed to recommend wards that had a forecast electorate within a maximum 10% variation from parity, as suggested by the Venice Commission's 'Code of Good Practice in Electoral Matters'. We did not apply this measure as a strict numerical limit but instead this appeared to us to provide a reasonable degree of flexibility in most circumstances. In designing wards, we considered local circumstances as permitted by the legislation.

Local ties

43. When designing wards, we aimed to avoid breaking local ties, as far as permitted by the legislation.

44. Local ties can be defined by the location of public facilities such as doctors' surgeries, hospitals, libraries or schools. An area's history and tradition may be the basis of local ties. However, communities are constantly evolving and historical considerations may not have such importance in areas which have been subject to recent development or population dispersal. Major roads could be seen to be the focus of an area if they are the location of shops or community facilities which people visit regularly. Alternatively, major roads, rivers or railway lines could be seen as physical barriers between different communities.

45. In some areas, we have combined two or more distinct and separate communities within a single ward.

46. We also had regard to other recognised boundaries which may reflect local communities or local ties in designing ward boundaries. These boundaries could include those of community council areas, polling districts and primary school catchment areas.

Easily-identifiable boundaries

47. The legislation requires us to take into account the desirability of fixing boundaries that are and will remain easily-identifiable, but electoral parity and local ties take precedence.

48. In some areas, a case can be made to define ward boundaries along roads since they are likely to remain clearly identifiable, and are unlikely to be straddled by new dwellings. As an alternative, drawing a boundary along the rear fences between houses will result in neighbours across a street being in the same ward which may appropriately reflect local ties.

49. In some areas, natural features such as watercourses and edges of woodland may be appropriate. In upland areas, a watershed may be an appropriate ward boundary feature, particularly along narrow, well-defined ridges.

50. Ward boundaries have also been standardised where appropriate to follow road centrelines and river/waterway centrelines in order to create more easily-identifiable ward boundaries.

Special geographical considerations

51. We can depart from strict adherence to electoral parity for a ward where there are special geographical considerations that make it desirable to do so. These considerations can apply to socio-economic factors as well as to physical geography. Such considerations could include any areas where transport and communication links are slow, infrequent or subject to interference by the weather and seasons. Examples would be islands, sparsely populated areas and remote areas.

Other factors

52. It is important to note that our reviews are concerned only with electoral matters. Issues such as addresses, postcodes, community council boundaries and school catchment areas are all decided by other bodies and do not change as a direct consequence of ward boundary changes.

Consultation

53. Our approach to conducting the Fifth Reviews was one of engagement and openness. We publicised the reviews widely, and asked that councils do the same. Legislation governing the conduct of reviews is at Appendix D. At the start of the reviews we met all 32 councils individually to discuss our proposals for councillor numbers.
54. The legislation requires us to consult with councils for a 2-month period and to take into consideration their views prior to consulting publicly on proposals. We conducted a two-stage consultation, firstly for councillor numbers, and secondly for our ward proposals.
55. When publicising the consultations we issued a news release, placed public notices in the local press and supplied materials for councils to make available at council-nominated display points. We also used Facebook, Twitter and our website for publicity and asked councils to publicise the reviews on their websites. The local press used in East Renfrewshire Council area were the 'Barrhead News' and the 'Glasgow South and Eastwood Extra'. The display points agreed with East Renfrewshire Council were located in: council headquarters, Giffnock; and Barrhead council offices, Barrhead.
56. We also wrote to a wide range of interested parties including MSPs, MPs, political parties, community councils, COSLA and other representative bodies to inform them of the consultations.
57. Our public consultation portal allowed users to view maps and background information and to submit responses, including alternative suggestions during the public consultation phases of the reviews.
58. All responses to the consultations were fully considered by us and the papers and minutes recording our deliberations and decisions are published on our website: www.lgbc-scotland.gov.uk.

Part 2 Conducting the Review

Councillor numbers

59. Our methodology placed East Renfrewshire Council area within category 3, as one of the most urban council areas with below-average deprivation, with a ratio of electors per councillor of 3,800. Using the ratio of 3,800 we initially proposed 18 councillors for East Renfrewshire Council area, 2 fewer than at present.

Consultation with East Renfrewshire Council

60. We wrote to East Renfrewshire Council on 21 February 2014 announcing the start of the Fifth Reviews, providing background information and setting out our proposals for councillor numbers. The letter set out that we were consulting with the council on these proposals for a period of 2 months ending on 23 April 2014.

61. On 6 March 2014, we met the council to explain the review process, the methodology for the determination of councillor numbers and the proposed number of councillors for East Renfrewshire Council area.

62. In its response to the consultation on councillor numbers, the council: set out its opposition to the proposed decrease in councillor numbers; advocated the use of forecast electorate data for determining proposals for councillor numbers; and opposed deprivation in the methodology for the determination of councillor numbers.

63. We considered the council's response at our meeting of 1 May 2014 (see LGBCS Paper 2217/14 and minute of meeting M355). We decided to consult with the public on the same proposals for councillor numbers.

Consultation with the public

64. We consulted with the public on our proposals for councillor numbers between 29 May and 21 August 2014.

65. There were 10 responses to the public consultation for East Renfrewshire Council area, 3 of which supported our proposals, while 6 opposed our proposals.

66. We received 2 responses for all council areas in Scotland and these are available on our website.

67. We considered the views expressed by respondents to the public consultation in East Renfrewshire Council area. We also considered the views expressed by other councils, COSLA and other interested parties across Scotland concerning our proposed methodology. East Renfrewshire Council did not give us a further response.

68. Our response to the consultation on councillor numbers is summarised in our statement on councillor numbers published in October 2014 (available on our website), which:

- explained our methodology;
- set out our view that the previously-used categorisation based on population distribution and population density was an incomplete model of the demands on councillors;
- noted a lack of evidence supporting the sole use of population distribution and population density to determine the ratio of councillors to electors; and
- stated our case that using deprivation and population distribution appears to remain a reasonable model for us to adopt in discharging our statutory responsibility to make recommendations in the interests of effective and convenient local government.

69. For these reasons we were content to confirm our use of the methodology at our meeting of 10 September 2014 (see LGBCS Paper 2228/14 and minute of meeting M358).

Ward design

70. We discussed our ward proposals for East Renfrewshire Council area at our meetings of 10 September 2014 (see LGBCS Paper 2234/14 and minute of meeting M358), 7 October 2014 (see minute of meeting M359) and 23 October 2014 (see LGBCS Paper 2246/14 and minute of meeting M360) and decided on our proposals at our meetings of 3 February 2015 and 3 March 2015 (see LGBCS Paper 2276/15 and minutes of meetings M364 and M365).

71. Our proposals for East Renfrewshire Council area presented an electoral arrangement for 18 councillors representing 2 3-member wards and 3 4-member wards, reducing the number of wards in the area by 1 and reducing councillor numbers by 2. Our proposals:

- linked Uplawmoor with Barrhead and Eaglesham with Newton Mearns;
- adopted the M77 motorway and railway lines as easily-identifiable boundaries;
- avoided any new division of settlements between wards; and
- took into account community council area geographies.

Consultation with East Renfrewshire Council

72. We consulted East Renfrewshire Council on our ward proposals between 19 March and 19 May 2015.

73. The council responded to the consultation on 28 May 2015 setting out its opposition to the reduction in councillor numbers and its preference for existing electoral arrangements. The main reasons for its opposition were given as:

- no rationale for changing the methodology for the determination of councillor numbers to include deprivation had been evidenced;
- the use of deprivation without other factors being taken into account;
- the link between councillor numbers and deprivation had not been proven by us;

- figures used to determine councillor numbers are constrained by population projections;
- there is an inconsistency in approach where 2013 electorates are used to determine councillor numbers and 2017 projected electorates data are used to make parity calculations;
- the proposals break ties and create artificial links between Barrhead, Neilston and Uplawmoor and between Eaglesham and Newton Mearns.

74. The council concluded that the proposed reduction in councillor numbers and consequential re-design of wards would have an adverse impact on effective and convenient local government in East Renfrewshire Council area. In the accompanying report, officers highlighted a planned development that would reasonably lie in another ward on grounds of likely local ties.

75. We reviewed our ward proposals for East Renfrewshire Council area at our meeting of 9 June 2015 (see LGBCS Paper 2312/15 and minute of meeting M367). We noted that the council continued to oppose the reduction in councillor numbers.

76. We disagreed with some of the assertions made in East Renfrewshire Council's response and in the accompanying officer's report. Among these were:

- we did not accept COSLA's view as described in East Renfrewshire Council's response that we were: 'moving away from [our] more objective criteria of population numbers and geography';
- we considered that our use of deprivation in determining councillor numbers was supported by empirical evidence, and that there was limited empirical evidence for the factor it replaced (population density) in determining councillor numbers;
- we did not accept that there was an inconsistency in our approach of using 2013 electorate figures to determine the number of councillors while using projected electorate combined with anticipated development for electoral parity calculations. The use of September 2013 electorate data allows numbers of councillors in councils across Scotland to be determined using a consistent dataset. Forecast electorate and development data is used to assist in determining ward boundaries within council areas; this data is not consistent across Scotland.

77. We considered that we had applied our criteria fairly and effectively in the case of East Renfrewshire Council and remained committed to our methodology.

78. In its accompanying report, East Renfrewshire Council suggested a change to our proposed ward boundary between wards 2 and 3 at the Hillfield development near Patterton Station to support local ties and improve parity. We agreed to this suggestion.

Consultation with the public

79. We wrote to East Renfrewshire Council to inform it that the consultation with the public on proposals for wards would begin on 30 July and run until 22 October 2015. The council was invited to submit a further response during the public consultation.

80. On 30 July 2015 we announced a 12-week period of consultation with the public on our ward proposals for East Renfrewshire Council area which:

- linked Uplawmoor with Barrhead, and Eaglesham with Newton Mearns;
- adopted the M77 motorway and railway lines as easily-identifiable boundaries;
- included the planned Hillfield development in a ward with Newton Mearns;
- avoided any new division of settlements between wards; and
- took into account community council area geographies.

81. On 22 October 2015 the consultation period with the public ended. Eleven responses relating to East Renfrewshire Council area were received during the public consultation, which can be found on our website. The main themes to emerge were that Uplawmoor should be in a ward with Neilston and that there was some support for a reduction in councillor numbers in the council area.

82. During the public consultation, the council made the following comments in opposition to the proposals for wards. It considered that neither the change in the methodology nor the rationale for the use of deprivation in determining councillor numbers had been sufficiently tested. It was concerned about the use of deprivation without considering the other factors that might have an impact, and asserted that the link with deprivation was not proven. The council suggested postponing the inclusion of deprivation as a factor until the findings of research the Commission has commissioned into councillor workload are available to inform the 6th Reviews. It considered us to have taken an inconsistent approach in that the methodology recognises deprivation for councillor numbers but not in ward design in some council areas. The council was concerned that changes to ward boundaries and ratios would have an adverse impact on communities and requested a local inquiry.

83. We received 3 responses for all council areas in Scotland and these are available on our website.

Development of our final recommendations

84. On 12 January 2016 (see LGBCS Paper 2378/16 and minute of meeting M373) we considered all responses received during the public consultation, including from East Renfrewshire Council.

85. We discussed further options for East Renfrewshire Council area (see LGBCS Paper 2378/16 and minute of meeting M373).

86. Noting the low level of response to the public consultation, we considered 3 suggestions for wards in East Renfrewshire Council area. Suggestion 1 from East

Renfrewshire Council retained the existing electoral arrangements. The council considered that we should adopt our old methodology for determining councillor numbers until the results of our research into councillors' roles and workloads could be taken into account. We considered that we have applied our criteria fairly and effectively in the case of East Renfrewshire Council area and remain committed to our methodology and as such suggestion 1 was not considered further.

87. We considered suggestion 2. This suggested reducing councillor numbers further by making the proposed 4-member wards into 3-member wards. We noted that suggestion 2 would take East Renfrewshire Council below the minimum number of councillors considered necessary by us to form an effective council. This factor in addition to resulting electoral parities out with the 10% limit meant that suggestion 2 was not considered further.
88. Suggestion 3 included Uplawmoor in the same ward as Neilston and Newton Mearns. We agreed that it was not possible to accommodate this suggestion as it would result in electoral parity of -15% in the proposed Barrhead ward.
89. We noted the high variation from parity in ward 1 but that this was forecast to fall to -10% and considered this acceptable in the interests of preserving local ties in the area. We decided that our ward proposals for public consultation should be our Final Recommendations for East Renfrewshire Council area.
90. We considered that the information we had available was sufficient to reach a decision for East Renfrewshire Council area that would provide for effective and convenient local government and that there was not a need for further consultation or a local inquiry.
91. On 19 April 2016 (see LGBCS Paper 2395/16 and minute of meeting M377) we confirmed our Final Recommendations for East Renfrewshire Council area as set out in Part 3.
92. All papers and minutes of meetings relating to our consideration of East Renfrewshire Council area are available on our website:
www.lgbc-scotland.gov.uk.
93. The timetable for the Fifth Reviews of electoral arrangements is set out at Appendix E. An index of our meetings, papers and minutes concerning East Renfrewshire Council area is at Appendix F.

Part 3 Final Recommendation for East Renfrewshire Council area

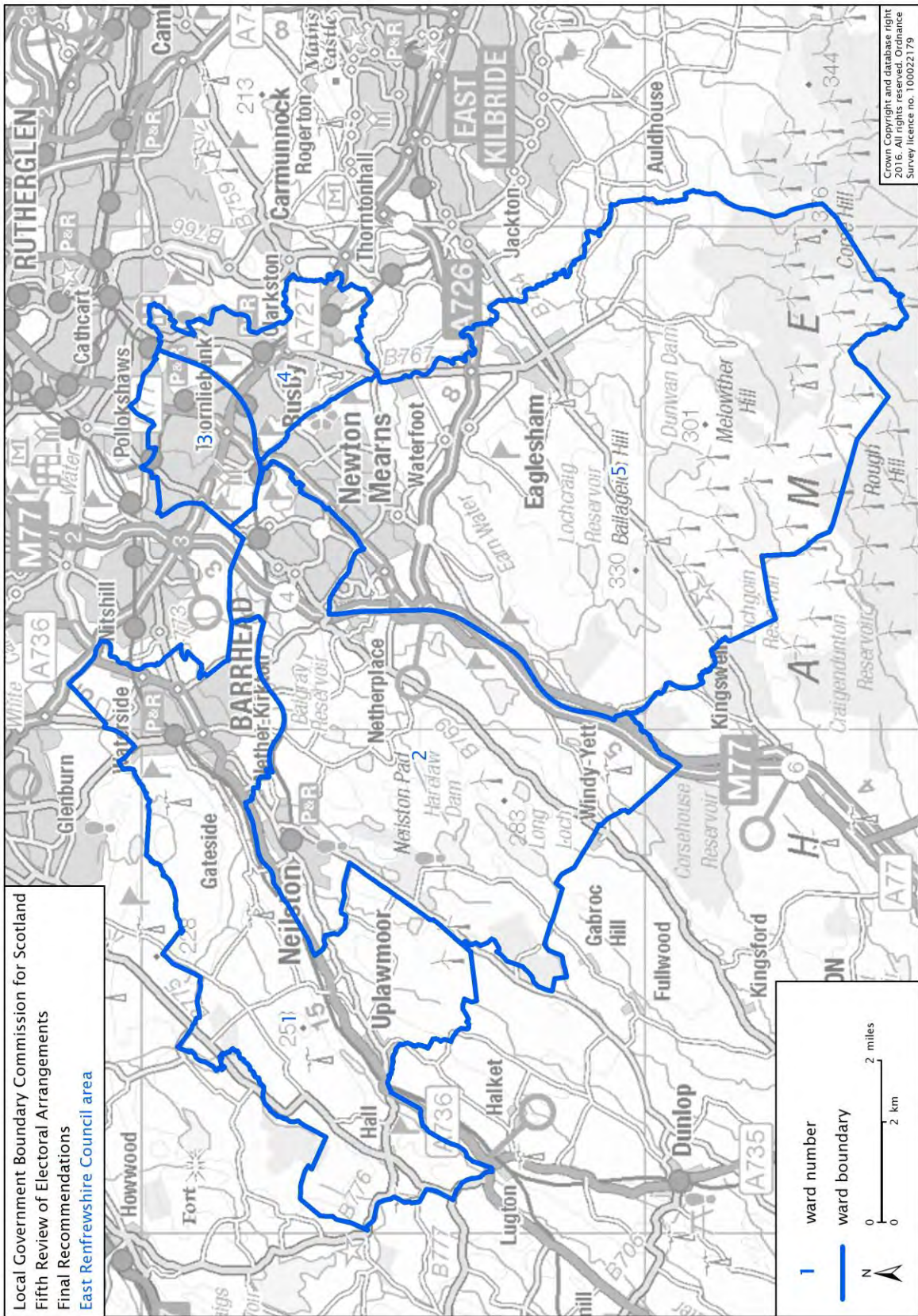
94. We recommend that in the interests of effective and convenient local government the future electoral arrangements for East Renfrewshire Council area should provide for a council of 18 councillors in 5 wards, comprising 3 wards each returning 4 members and 2 wards each returning 3 members as follows:

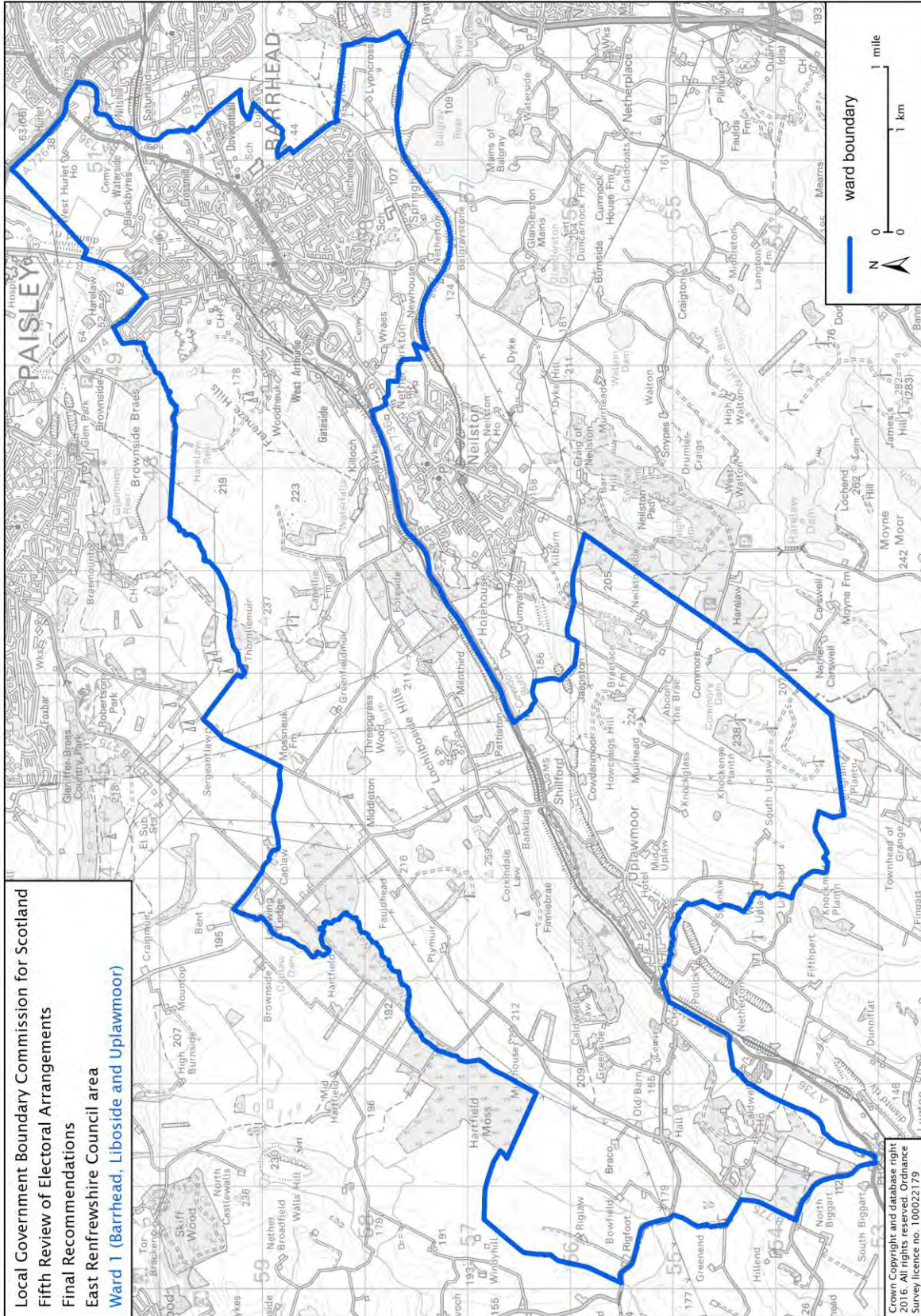
ward no.	ward name	councillors	electorate Sept 13	actual variation from parity	forecast electorate	forecast variation from parity
1	Barrhead, Liboside and Uplawmoor	4	13,779	-11%	13,944	-10%
2	Newton Mearns North and Neilston	3	10,864	-6%	11,711	1%
3	Giffnock and Thornliebank	3	12,660	10%	12,397	7%
4	Clarkston, Netherlee and Williamwood	4	15,938	3%	15,674	1%
5	Newton Mearns South and Eaglesham	4	16,081	4%	16,100	4%
	Totals	18	69,322	7%	69,826	5%

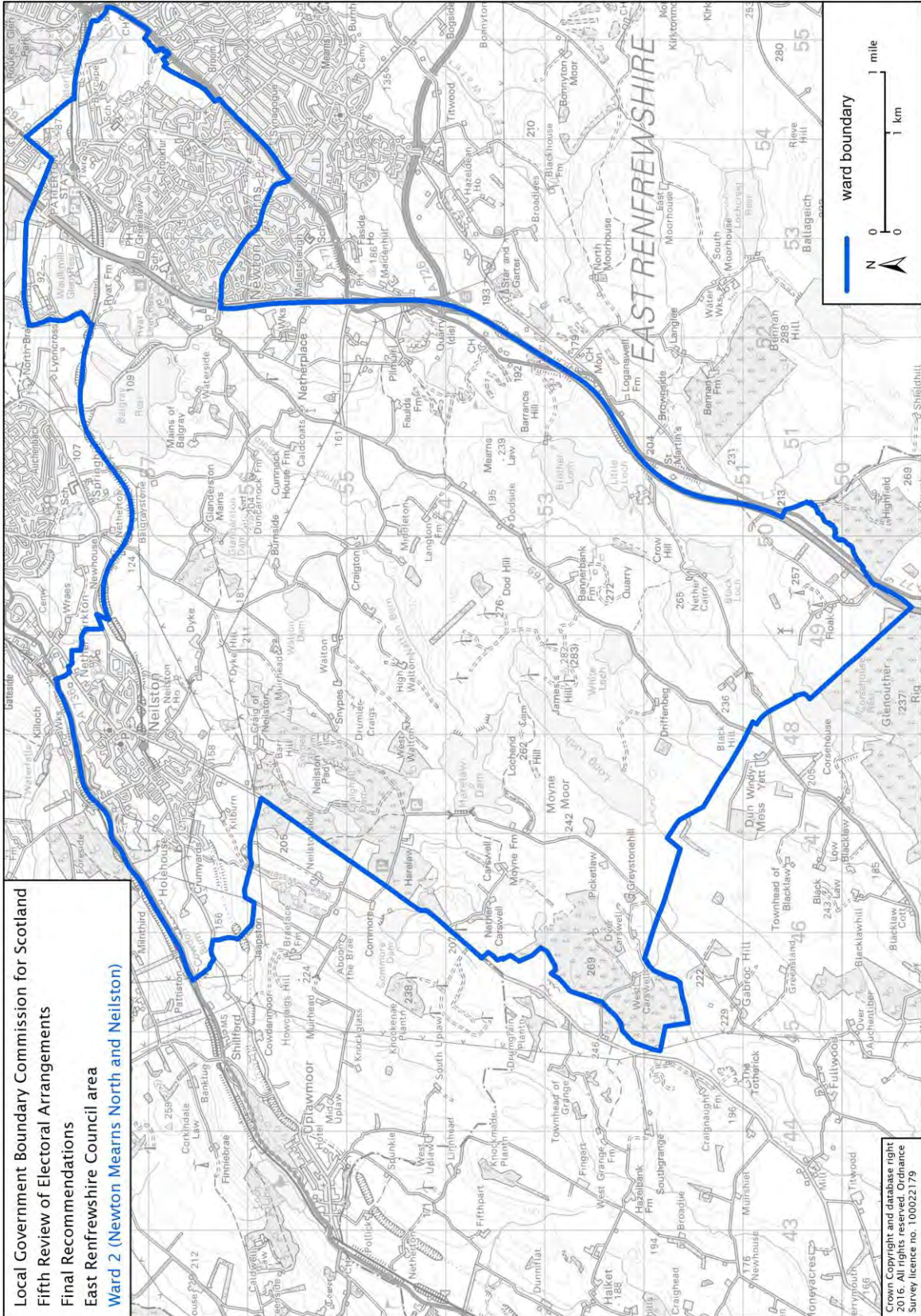
95. A digitised description of the ward boundaries in the form of GIS shapefiles has been securely stored on magnetic media at the date of publication of our report.

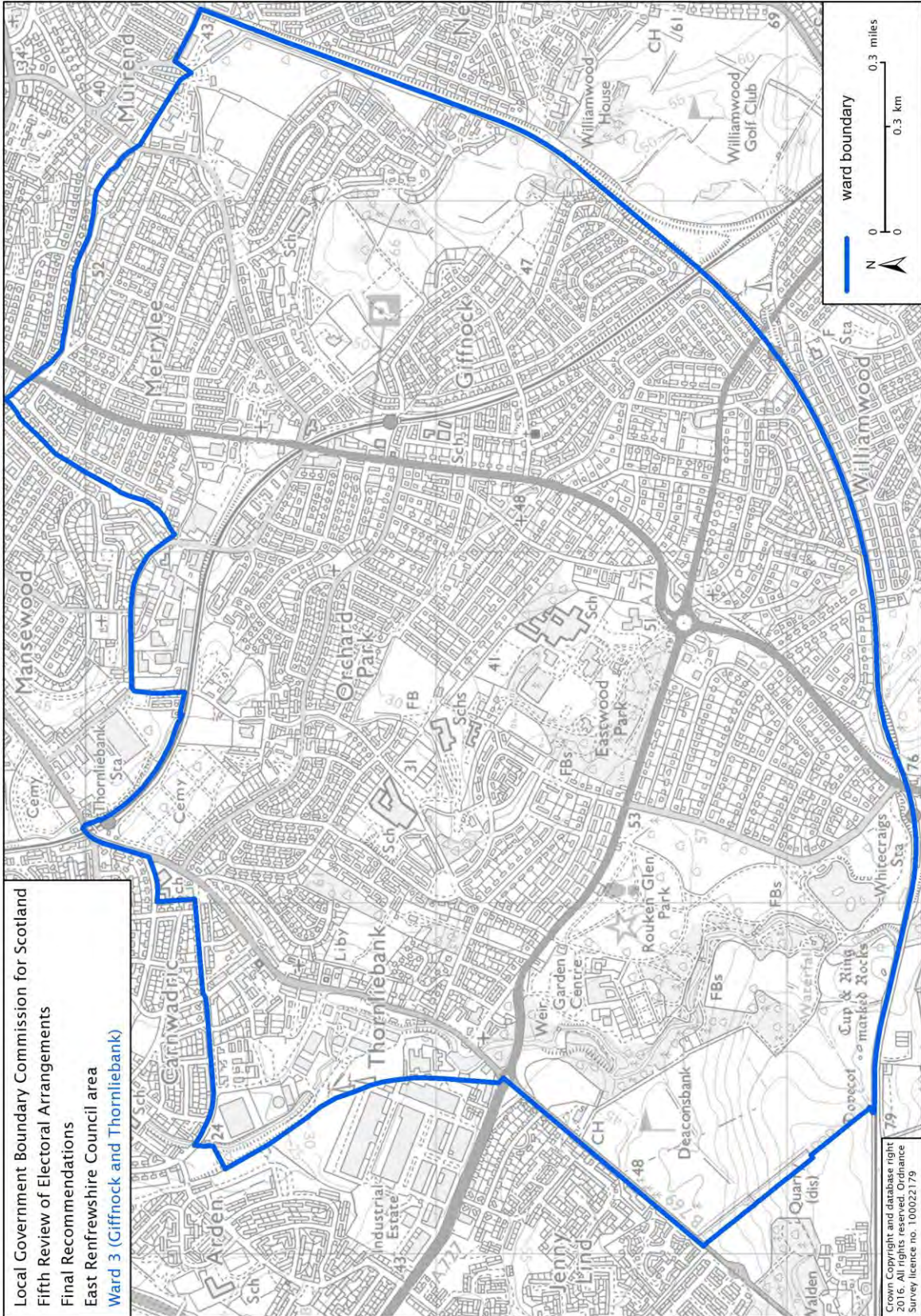
96. Our report has also been deposited for public inspection at offices designated by the council and a news release announcing the publication of our report has also been issued.

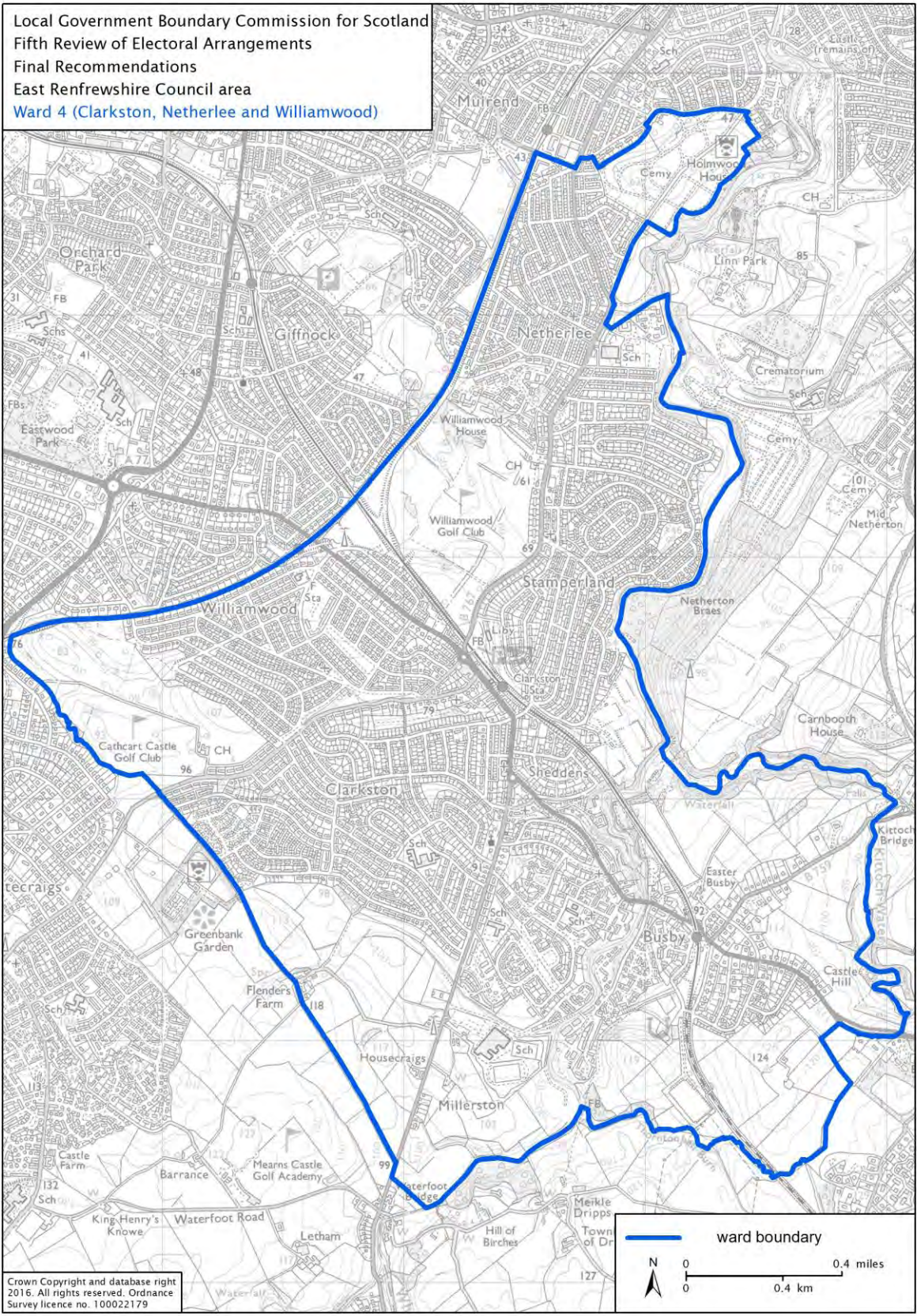
97. Our report is available on our website at www.lgbc-scotland.gov.uk.



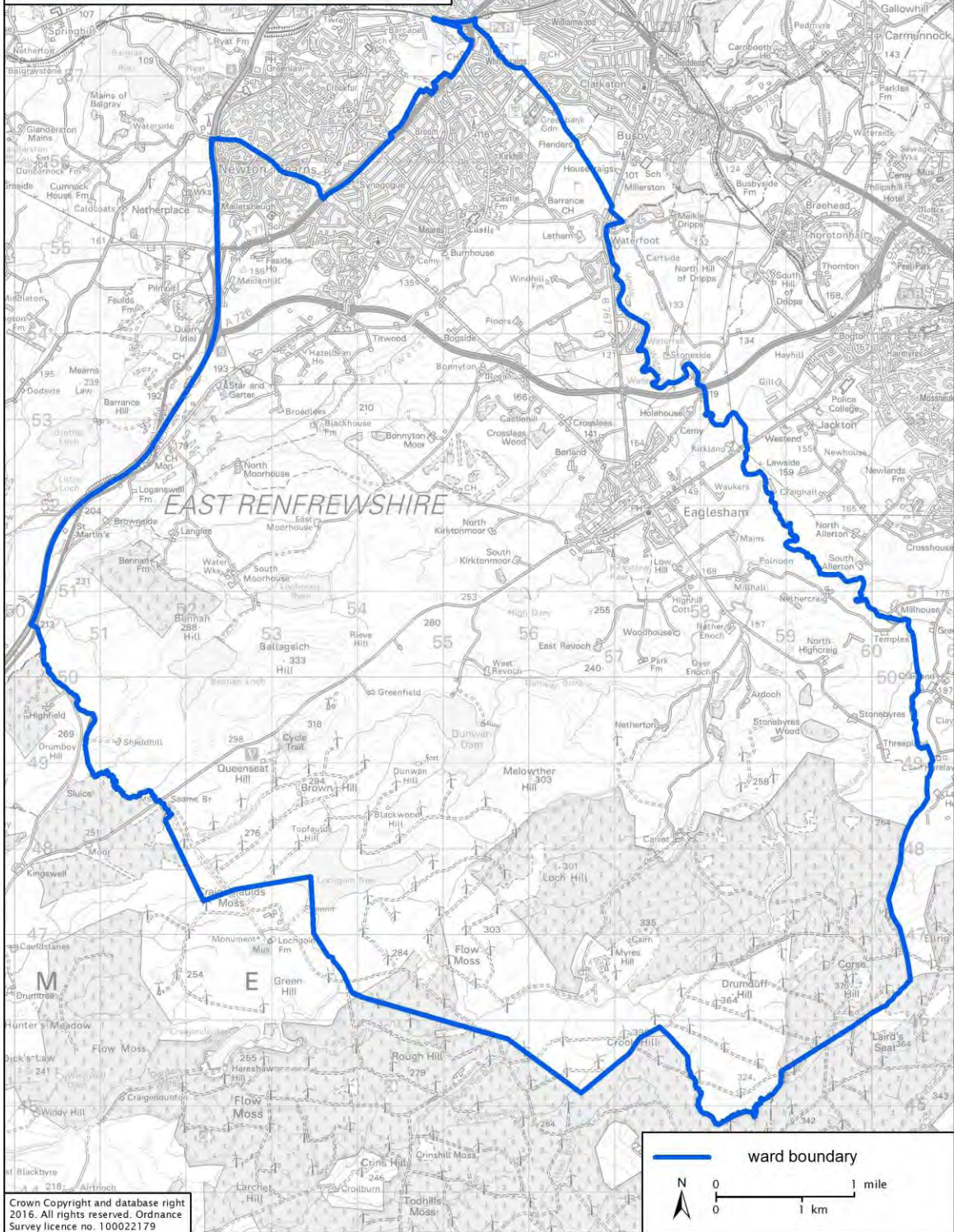








Local Government Boundary Commission for Scotland
Fifth Review of Electoral Arrangements
Final Recommendations
East Renfrewshire Council area
Ward 5 (Newton Mearns South and Eaglesham)



Appendices

Appendix A Existing and Recommended wards for East Renfrewshire Council area

Appendix B Local Government (Scotland) Act 1973, as amended: Schedule 6 – Rules to be observed in considering electoral arrangements

Appendix C Categorising Councils Matrix

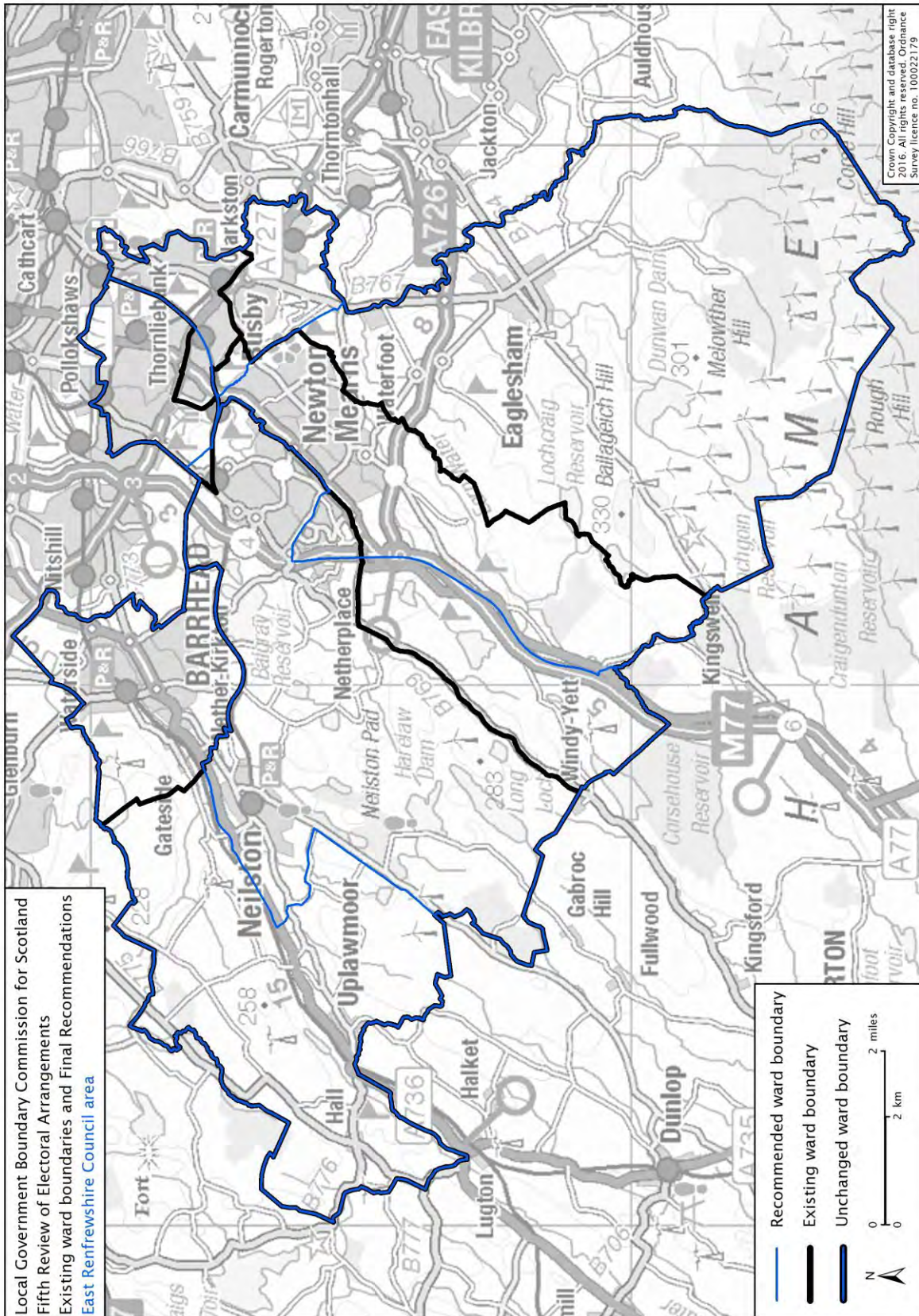
Appendix D Local Government (Scotland) Act 1973: Conduct of Reviews

Appendix E Timetable for the Fifth Reviews of Electoral Arrangements

Appendix F Index of Commission Meetings, Papers and Minutes of Meetings – East Renfrewshire Council Area

Appendix A

Existing and Recommended wards for East Renfrewshire Council area



Appendix B

Local Government (Scotland) Act 1973, as amended

Schedule 6 – Rules to be observed in considering electoral arrangements

1 (1) This schedule applies to the consideration by Scottish Ministers or the Boundary Commission of electoral arrangements for election of councillors of local government areas.

(2) Having regard to any change in the number or distribution of electors of a local government area likely to take place within the period of five years immediately following the consideration, the number calculated by dividing the number of local government electors in each electoral ward of that local government area by the number of councillors to be returned in that ward shall be, as nearly as may be, the same.

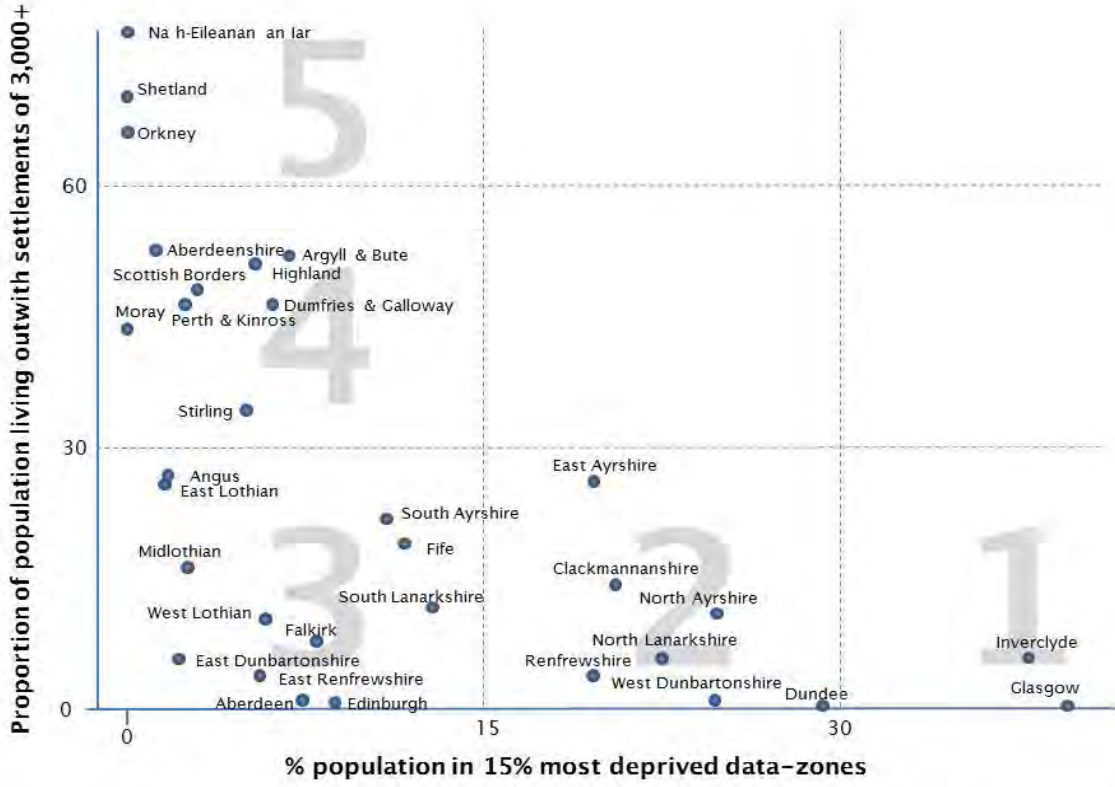
(3) Subject to sub-paragraph (2) above, in considering the electoral arrangements referred to in sub-paragraph (1) above regard shall be had to–

- (a) the desirability of fixing boundaries which are and will remain easily identifiable;
- (b) any local ties which would be broken by the fixing of any particular boundary

but if, in any case, there is a conflict between those criteria, greater weight shall be given to the latter.

2. The strict application of the rule stated in paragraph 1(2) above may be departed from in any area where special geographical conditions appear to render a departure desirable.

Appendix C
Categorising Councils Matrix



Appendix D

Local Government (Scotland) Act 1973: Conduct of Reviews

Extract from Local Government (Scotland) Act 1973 (as amended)

Conduct of Reviews

18 *Procedure for reviews*

(1) Where the Boundary Commission propose to conduct a review under the foregoing provisions of this Part of this Act, they shall take such steps as they think fit to secure that persons who may be interested in the review are informed of the proposal to conduct it and of any directions of the Secretary of State which are relevant to it.

(2) In conducting any such review, the Boundary Commission shall —

(a) consult —

(i) the council of any local government area affected by the review, and such other local authorities, community councils and public bodies as appear to them to be concerned;

(ii) any bodies representative of staff employed by local authorities who have asked the Boundary Commission to consult them; and

(iii) such other persons as they think fit;

(aa) at least two months before taking any steps under paragraph (b) below to inform other persons of any draft proposals or any interim decision not to make proposals, inform the council of any local government area affected by the review of those proposals or that decision;

(ab) before taking any such steps, take into consideration any representation made to them by such a council during the period of two months beginning on the day on which the council is informed under paragraph (aa);¹

(b) take such steps as they think fit for seeing that persons who may be interested in the review are informed of any draft proposals or any interim decision not to make proposals, and of the place or places where those proposals or that decision can be inspected;

(c) in particular, deposit copies of those proposals or that decision at the offices of the council of any local government area which may be affected thereby and require any such council to keep the copies available for inspection at their offices for a period specified in the requirement; and

¹ Subsection 18(2)(aa) and 18(2)(ab) inserted by Local Governance (Scotland) Act 2004

(d) take into consideration any representation made to them within that period.

(2A) The Scottish Ministers may give directions to —

- (a) the Boundary Commission,
- (b) the council of any local government area affected by a review,

in relation to consultation under subsection (2)(a) above.

(2B) Such directions may be given generally or in relation to particular reviews or particular aspects of reviews.²

(3) Where the Boundary Commission make a report under this Part of this Act they shall —

- (a) take such steps as they think fit for securing that persons who may be interested in the report are informed of it and of the place or places where it can be inspected;
- (b) in particular, deposit copies of the report at the offices of the council of any local government area which may be affected thereby and require any such council to keep the copies available for inspection at their offices until the expiration of six months after the making of an order giving effect, with or without modifications, to any proposals contained in the report, or after a notification by the Commission that they have no proposals to put forward or, as the case may be, by the Secretary of State that he does not propose to give effect to the proposals of the Commission.

(4) Subject to the foregoing provisions of this section, the procedure of the Boundary Commission in conducting any review under this Part of this Act shall be such as they may determine.

19 *Local inquiries*

(1) The Boundary Commission may cause a local inquiry to be held with respect to any review carried out by them under this Part of this Act.

² Subsection 18(2A) and 18(2B) inserted by Local Governance (Scotland) Act 2004

Appendix E

Timetable for the Fifth Reviews of Electoral Arrangements

Description	Start	Finish
Reviews commenced	21 February 2014	
Commission met separately with all 32 councils to provide a background to the reviews	25 February 2014	2 April 2014
2-month statutory consultation period with councils on councillor numbers	21 February 2014	23 April 2014
Commission considered councils' responses	April 2014	May 2014
12-week public consultation period on councillor numbers	29 May 2014	21 August 2014
Commission considered responses and agreed councillor numbers	September 2014	January 2015
Commission developed proposals for wards	September 2014	January 2015
2-month statutory consultation period with councils on proposals for wards	19 March 2015	19 May 2015
Commission considered councils' responses	June 2015	July 2015
12-week public consultation on proposals for wards	30 July 2015	22 October 2015
Commission considered all representations and developed its final recommendations	November 2015	April 2016
Commission submitted its reports to Scottish Ministers	May 2016	

Appendix F

Index of Commission meetings, papers and minutes–East Renfrewshire Council area

Meeting Date	Paper Number	Minutes ref
09.10.2013	Paper 2193/13	M349
12.11.2013	Paper 2198/13	M350
18.12.2013	Paper 2203/13	M351
15.01.2014	Paper 2206/14	M352
01.05.2014	Paper 2217/14	M355
10.09.2014	Paper 2228/14 Paper 2234/14	M358
07.10.2014	-	M359
23.10.2014	Paper 2246/14	M360
03.02.2015	Paper 2276/15	M364
03.03.2015	Paper 2276/15	M365
09.06.2015	Paper 2312/15	M367
12.01.2016	Paper 2378/16	M373
19.04.2016	Paper 2395/16	M377

