

EAST RENFREWSHIRE COUNCIL;

14 May 2014

Report by Chief Executive

LOCAL GOVERNMENT BOUNDARY COMMISSION FOR SCOTLAND – FIFTH REVIEW
OF ELECTORAL ARRANGEMENTS

PURPOSE OF REPORT

1. To seek homologation of a response to the Local Government Boundary Commission regarding their proposals to reduce the number of Elected Members for the Council.

RECOMMENDATION

2. That the response as outlined in paragraphs 15 to 33 of the report be homologated.

BACKGROUND

3. In terms of the Local Government (Scotland) Act 1973, (the 1973 Act) the Local Government Boundary Commission for Scotland is required to conduct electoral reviews of each local authority at intervals of 8 to 12 years. The last reviews were carried out between 2004 and 2006 and recommended the current multi-member wards which have been used for local government elections in 2007 and 2012.

4. The Commission is an independent body. Scottish Ministers are not involved during the review process but are responsible for deciding whether or how to implement any recommendations made by the Commission. As part of their decision-making they do consider any views and representations expressed on the Commission's Final Recommendations.

5. The rules for conducting reviews are set out in the 1973 Act. When making their recommendations to Scottish Ministers, the Commission must take account of specified requirements as set out in Schedule 6 of the Act. These are:-

- The number of electors per councillor in each ward should be, as nearly as may be, the same;
- Subject to this, the Commission will 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;
- The Commission may depart from the strict application of electoral parity to reflect special geographical considerations.

6. The review is carried out in 2 phases; Phase 1 which is to establish the total number of councillors for a council; and Phase 2 to review ward boundaries based on the concept of electoral parity.

REPORT

7. As the first stage of the latest review of local government electoral arrangements the Commission has announced its proposals for councillor numbers across the country. For East Renfrewshire, the proposals are that the number be reduced from the current 20 councillors to 18 councillors. In taking forward the review Commission representatives have been visiting councils to outline their proposals and explain the review process in more detail. Bill Magee and Laura Cregan from the Commission met with Provost Carmichael, and Councillors Fletcher, McCaskill and Robertson, along with officers on 6 March.

Methodology

8. In conducting their review the Commission have used the Scottish Index of Multiple Deprivation (SIMD) as a method of categorising councils. This is a change from current practice where council areas have been categorised by density and distribution of population. Under this current arrangement which has 7 categories, the councillor: elector ratio for East Renfrewshire is 1:3,500.

9. Councils have now been placed in one of 5 categories, with each category having a corresponding ratio of councillors to electors.

10. The 5 categories, the criteria used to classify councils, and the ratio of councillors to electorate are as follows:-

Category	Criteria used to classify councils	Ratio
1	Less than 30% of the population living outwith settlements of 3,000 or more AND 30% or more of the population living in the most deprived areas.	1:2,800
2	Less than 30% of the population living outwith settlements of 3,000 or more AND 15% or more and less than 30% of the population living in the most deprived areas.	1:3,000
3	Less than 30% of the population living outwith settlements of 3,000 or more AND less than 15% of the population living in the most deprived areas.	1:3,800
4	30% or more and less than 60% of the population living outwith settlements of 3,000 or more AND less than 15% of the population living in the most deprived areas.	1:2,800
5	60% or more of the population living outwith settlements of 3,000 or more AND less than 15% of the population living in the most deprived areas.	1:800

Ratio Classification

11. East Renfrewshire has 7 neighbourhoods within the most deprived 15% datazones in Scotland. The combined population of these is 4,921, which represents approximately 5% of the total population.

12. Only Uplawmoor (701) and Waterfoot (1,364) fall within the rural settlement classification meaning that less than 5% of East Renfrewshire's population is rural.

13. This means that for East Renfrewshire, the ratio of councillors to electors has been determined by the Commission as Category 3 - 3,800 electors per councillor.

14. The ratio having been established, the Commission used the electorate as at September 2013, dividing it by the ratio figure, to determine the proposed total number of councillors required for East Renfrewshire.

Comment

15. Firstly, with regard to the increase in the number of electors per councillor, in surveys carried out by the Scottish Local Authorities Remuneration Committee many councillors have already highlighted the significant number of hours they have to work as a councillor. Increasing the ratio of electors to councillors will only add to councillor workload. Therefore the proposal to increase the ratio is not supported.

16. Secondly, in carrying out the review, legislation states that the electorate figure should be used to determine councillor numbers. However this fails to recognise that a significant part of a councillor's workload can relate to the provision of services for those local residents not of voting age. Councillors represent all people within their ward, and East Renfrewshire has a high number of families with children. Whilst the Commission is unable to deviate from the use of elector numbers to use population numbers instead, this is something that Scottish Ministers should be asked to reconsider in future.

17. In terms of the calculations that have been made to establish councillor numbers, it is argued that the use of the September 2013 electorate to determine councillor numbers in 2017 is a fundamental flaw in the exercise. It is suggested that the number of councillors to be elected in 2017 should be based on the proposed future electorate at that time, not the existing electorate.

18. If the potential future electorate can be calculated using a combination of NRS population projections and the Council's residential land programme, and this is to be used in terms of establishing electoral parity in Phase 2 of the review exercise, it is argued that this figure should also be used in determining the number of councillors. It is suggested that the as yet unpublished 2012 NRS Population Projection figures be used. These take into account the 2011 Census Population data and the newest migration assumptions. It is understood that these figures are due to be published on 14 May 2014.

19. Looking further at the use of the September 2013 eligible electorate figure (69,325) based on the 1:3,800 ratio the number of councillors for East Renfrewshire is calculated at 18.24. Whilst in mathematics, figures below 0.5 are rounded down, the determination of councillor numbers is not simply a mathematical exercise. If it is calculated that for the electorate of East Renfrewshire to be properly represented, 18.24 councillors are required, then rounding that number down in effect means that East Renfrewshire is under represented. It is argued that the only course of action open is for the number to be increased to 19. Using the existing 1:3,500 ratio would see a requirement for 19.8 councillors.

Average Electorate per household

20. The current number of households in East Renfrewshire is 37,225 (2011 Census). Using the September 2013 electorate figure, this equates to 1.86 electors per household. This is considered to be an appropriate figure to use in projected electorate calculations. It should be noted that this figure was as high as 71,547 in November 2013 but following the annual canvass has dropped to 68,883 as at April 2014. It is anticipated that this figure will rise throughout this year as more people register to make sure they are able to vote in the Referendum in September.

Projected Electorate

21. The Housing Land Audit shows 1,360 programmed completions scheduled before 2018. Using the calculated number of electors per household (1.86) this new build would result in an additional 2,530 voters, giving a projected elector number at 2018 of 71,854. Using the 1:3,800 ratio would result in a requirement for 18.9 councillors, to be rounded up to 19. Using the existing ratio would see a requirement for 20.52 councillors, to be rounded up to 21.

22. Whilst 2018 is beyond the current review period, the figures shown clearly demonstrate that to reduce councillor numbers in East Renfrewshire now whilst not taking account of a clearly identifiable increase in elector numbers in the medium term, in the period before the subsequent review will be carried out, will lead to a democratic deficit in East Renfrewshire.

23. It is also argued that how engaged the electorate is in the political process should be reflected in the number of councillors allocated to a council. For example, in simple percentage terms, the turnout in the 2012 local elections in East Renfrewshire was 48.6%. This compared to a turnout of 42.7% in Renfrewshire and 32.4% in Glasgow.

24. Using Renfrewshire Council as a comparator, based on the 2012 turnout, the ratio of councillors to electors who voted in East Renfrewshire stands at 1:1,669 whilst in Renfrewshire it 1:1,361.

25. Under the Commission's proposals, still using the 2012 figures, the ratio in East Renfrewshire goes up to 1:1,854 whilst in Renfrewshire it actually goes down to 1:1,266.

26. This demonstrates that East Renfrewshire residents who participate in the electoral process are already underrepresented when compared to their neighbouring authority, a situation which will get worse if the proposed reduction in councillor number goes ahead.

Scottish Index of Multiple Deprivation (SIMD)

27. In the Commission's 2011 consultation, although the nature of some of the questions may have led to it, no reference was made to proposals to introduce the use of SIMD in determining councillor numbers. As the Council was generally satisfied with the existing categories and ratios, no comment was made at that time. It is only now that the proposed new ratios and the use of SIMD have been brought forward.

28. The Council disagrees with the use of the Index. It appears that an assumption has been made that councillors that represent an area that does not score highly in terms of SIMD, do not have as large a workload as those that do. This assumption is strongly disputed. Whilst it is recognised that councillors in wards that do not feature on SIMD may have different issues to deal with, this does not mean their workload is any less.

29. At the preliminary meeting that was held between representatives of the Commission and the Council, none of the councillors present represented an area of East Renfrewshire with high SIMD scores. However they were able to provide clear examples of the variety of issues that they have to address. The electorate in East Renfrewshire are both well educated and vocal, and it is this, rather than being resident in an area of multiple deprivations, that can lead to councillors to have high workloads.

30. In addition it is argued that the effectiveness of using SIMD is questionable. By way of example, Glasgow has the most extensive areas of deprivation and by virtue of the categorisation ratios applied has a councillor/elector ratio of 1:2,800. Were this to be properly applied this would lead to a significant increase in the number of councillors in that area. However by virtue of both the cap and the 10% rule, the proposals only result in an additional 6 councillors for Glasgow. It is argued that if SIMD is not going to be used correctly then it should not be used at all.

31. As the councillor to electorate ratio applies across a whole council area, the increasing councillor representation on authorities with high levels of deprivation would similarly apply across the entire council area – not only in those wards which have significantly high levels of deprivation. Affluent areas in such authorities would therefore have the same higher ratio of councillors to electorate than those deprived areas. Therefore using SIMD does not really address the perceived problem.

32. Such areas of deprivation already receive significant focus from Councils, through Single Outcome Agreements, regeneration projects and the like. One such example is the Early Years Collaborative being taken forward in Auchenback, one of the Council's areas that feature in the SIMD. This project aims to give young children the best start in life through collaborative working between different agencies. It is such policy and project action that will help to address such issues - not necessarily additional Councillor representation.

33. It is argued that the best way for deprivation to be tackled is through Council SOAs and other targeted local action, not through additional representation which in any case cannot be targeted at specific areas due to the need for electoral parity.

FINANCE AND EFFICIENCY

34. There are no financial or efficiency implications associated with this report.

CONSULTATION

35. The deadline for the submission of the Council's response to the proposals was 23 April. In view of this consultation on this response has taken place with the Leader of the Council, the leaders of the other political groups and Councillor Robertson.

IMPLICATIONS OF THE PROPOSALS

36. There are no staffing, property, legal, IT, equalities or sustainability implications associated with this report.

CONCLUSIONS

37. The proposals put forward by the Local Government Boundary Commission see a reduction in the number of elected members for the East Renfrewshire area. In conducting the review, the number of council categories has been reduced, the councillor to elector ratio has been increased, and the Scottish Index of Multiple Deprivation has been used as the basis for determining into which category a council is placed.

38. There is evidence that councillors already have a significant workload based on the current ratios and to increase the number of electors to councillors will only make matters worse. Using the current ratios would actually see an increase, rather than a reduction in the number of councillors.

39. In addition, there is an inconsistency in the Commission's approach whereby they are using current electorate figures for determining councillor numbers but will use projected figures for determining electoral parity. If they are able to use the projected figures for Phase 2 then they should be used for Phase 1. Not using these projected figures will lead to a democratic deficit in the period between reviews

40. Finally, there are more appropriate methods of supporting residents in SIMD areas than using SIMD as the basis providing additional councillor numbers, particularly as any additional councillors cannot be targeted to these areas in any case.

41. Therefore the Council supports the retention of the existing categorisation and ratios. If this is not accepted the Council supports the use of projected rather than current electorate for determining councillor numbers.

RECOMMENDATION

42. That the response as outlined in paragraphs 15 to 33 of the report be homologated.

Local Government (Access to Information) Act 1985

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Background papers

Letter from Local Government Boundary Commission for Scotland – 21 February 2014