

Boundary Commission for Scotland



Annual Report 2010-11

www.bcomm-scotland.gov.uk

Deputy Chairman's foreword

This year has been one of completion and commencement.

In May 2010, we submitted the report on our First Periodic Review of Scottish Parliament Boundaries. That report was the culmination of 3 years' work and was the first review of the constituencies and regions for the modern Scottish Parliament since its establishment in 1999. The resulting constituencies and regions are being contested in the elections of 5 May 2011.

The year has also seen major changes in the legislation governing Westminster constituencies. In July 2010, the Government introduced the Parliamentary Voting System and Constituencies Bill into the House of Commons, which after lengthy debate became law in February 2011. In consequence, the number of constituencies in Scotland is reduced from 59 to 52.

The new legislation makes substantial changes to the procedure governing our reviews of Westminster constituencies. It has required us to commence our next review, which must be submitted to the Secretary of State by 1 October 2013.

During the year, we have said goodbye to Dr Elspeth Graham, a very experienced and valuable member of the Commission, who has served the Commission since 1999. We have been delighted to welcome Mrs Paula Sharp as a new member of the Commission, and her appointment, together with the re-appointment of Mr Ken McDonald, means that the membership of the Commission is settled for the duration of our current review.



The Hon Lord Woolman
Deputy Chairman, Boundary Commission for Scotland
May 2011



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This report covers the period 1 April 2010 to 31 March 2011. Copies are available from our website www.bcomm-scotland.gov.uk, or by request from our Secretariat.

1 The Commission

Background

The Boundary Commission for Scotland was established in its current form by the Parliamentary Constituencies Act 1986.

Our duties and powers are detailed in the 1986 Act and in Schedule 1 to the Scotland Act 1998. We are responsible for reviews of:

- constituencies and regions for the Scottish Parliament
- constituencies in Scotland for the Westminster Parliament

The legislation governing our reviews of Westminster constituencies has been changed substantially during the year, as discussed in more detail below.

We are an advisory Non-departmental Public Body (NDPB) sponsored and wholly funded by the Scotland Office. We are an independent and non-political body.

1.1 Membership

The 1986 Act specifies that our membership comprises a Chairman, Deputy Chairman and two further Commissioners. In addition, the Act specifies that our officers shall include two ex-officio Assessors.

1.1.1 Chairman

The ex-officio Chairman of all four of the parliamentary Boundary Commissions in the United Kingdom is the Speaker of the House of Commons, as specified by the 1986 Act. In practice, the Chairman takes no active part in the business of any of the Commissions.

1.1.2 Deputy Chairman

The Deputy Chairman is a judge of the Court of Session, appointed by the Lord President of the Court of Session, as specified by the 1986 Act. The Deputy Chairman is currently the Honourable Lord Woolman who was appointed on 1 January 2009 for a 4 year term ending on 31 December 2012.

1.1.3 Commissioners

The Commissioners other than the Chairman and Deputy Chairman are appointed on a term basis through open competition using the procedures laid down by the Office of the Commissioner for Public Appointments. Appointments are made by the Secretary of State for Scotland.

The current Commissioners are:

- Kenneth McDonald, re-appointed until 6 June 2015, having originally been appointed on 7 June 2007 for a 4 year term.
- Mrs Paula Sharp, appointed until 31 December 2014, having been appointed for a 4 year term starting on 1 January 2011;

Mr McDonald and Mrs Sharp are also members of the Local Government Boundary Commission for Scotland, and we find that having members in common with that Commission is very helpful.

On 31 December 2010, Dr Elspeth Graham retired as a member of the Commission, having served since 1999. We would like to record our gratitude for her excellent service during that time.

1.1.4 Assessors

Our two ex-officio Assessors are the Registrar General for Scotland and the Director General of Ordnance Survey. The Registrar General, Duncan Macniven, attends our meetings in person. The Director General of Ordnance Survey has appointed Graham Little to attend on her behalf.

1.2 Meetings

We met on 8 occasions in 2010-11. Minutes of meetings are placed on our website.

On 3 and 4 November 2010, we co-hosted with the Local Government Boundary Commission for Scotland the annual meeting of UK Boundary Commissions which was held in Edinburgh. The meeting had originally been planned for April 2010, but unfortunately, due to widespread travel disruption at that time, it had to be postponed. The meeting provided an excellent chance for the Commissions to learn from each other's experience.

1.3 Code of Practice

We have a Commissioners' Code of Practice which we agreed in August 2008. The Code of Practice is available on our website, or a copy can be provided on request.

1.4 Register of Commissioners' Interests

We maintain a Register of Interests of Commissioners, in accordance with the Commissioners' Code of Practice. The Register of Interests is available on our website, or a copy can be provided on request.

2 Secretariat

We are supported by a small Secretariat. Schedule 1 to the Parliamentary Constituencies Act 1986 provides that the Secretary of State shall appoint a Secretary to the Commission. The Secretary, who is the Secretariat's senior officer, is normally a civil servant assigned from the Scottish Government, and the Secretary of State is invited to approve the appointment following a recommendation by Scotland Office senior management.

The work of the Secretariat includes:

- facilitating boundary reviews;
- dealing with the everyday administrative matters relating to our business, such as finance, purchasing and accommodation;
- liaising with other UK Commissions and government departments with an interest in boundary matters;
- responding to general and other correspondence concerning boundary issues.

The Secretariat is headed by the Secretary, Dr Hugh Buchanan, who has been in post since October 2007.

Staff of the Secretariat are assigned from the Scottish Government. The number of staff assigned is dependent on the volume of review activity and the need to

develop, maintain and update information systems and respond to enquiries etc. During the year 2010-11, the assignment of Secretariat staff to support this Commission was as follows:

Post	Full-time equivalent
Secretary	0.50
Casework Managers	0.87
Casework Officers	0.17
IT Manager	0.50
General Office Manager	0.50
Total	2.54

Staff members are employed on a full-time basis, with their time allocated between support for us and for the Local Government Boundary Commission for Scotland, which is responsible for reviewing electoral ward and local authority areas in Scotland. The Secretariat is funded separately by the Scottish Government for its work supporting the Local Government Boundary Commission for Scotland.

3 Governance

3.1 Legislation

Our work is governed by the Parliamentary Constituencies Act 1986 and by Schedule 1 to the Scotland Act 1998. The current text of the legislation, incorporating all current amendments, is available from our website, or a copy can be provided on request.

On 16 February 2011, the Parliamentary Voting System and Constituencies Act 2011 received Royal Assent, after its passage through the United Kingdom Parliament. Part 2 of the Act substantially amended the Parliamentary Constituencies Act 1986 which governs our reviews of Westminster constituencies.

The amended legislation introduces considerable changes to the rules, process and timing of our reviews of Westminster constituencies. It will also reduce the total number of constituencies in the United Kingdom from 650 to 600.

The amended rules introduce a strict requirement that the electorate of each constituency should be within 5% of the average electorate of mainland constituencies in the United Kingdom. Exceptions are made for the Orkney and Shetland islands and Na h-Eileanan an Iar (the Western Isles), and for any constituency larger than 12,000 square kilometres. We expect that this requirement will result in a larger proportion of constituencies in our reviews crossing local authority boundaries than has previously been the case.

The amended process changes the public consultation procedure when we publish proposed constituencies. We will now organise Public Hearings during a lengthened 12 week consultation period on our Initial Proposals. These will provide an additional means for people to make representations on our Initial Proposals, in addition to the opportunity to submit a representation in writing. We will also publish all representations which we receive for a 4 week scrutiny period which will allow others to comment on the representations which have been made.

The amended timing specifies that we have to report on our next review of Westminster constituencies by 1 October 2013. As a result, on 4 March 2011, we announced the start of our Sixth Review of Westminster Constituencies. The legislation specifies that future reviews are to be carried out every 5 years, which is approximately twice as frequently as has been the case in the recent past.

There has also been some activity concerning the legislation governing our reviews of Scottish Parliament boundaries. In November 2010, the Government introduced the Scotland Bill into the House of Commons. The Bill primarily deals with other matters, but proposes a number of technical amendments to Schedule 1 to the Scotland Act 1998. These amendments are minor, and will make no practical difference to our reviews of Scottish Parliament boundaries. We will monitor the progress of the Bill.

3.2 Financial Memorandum

We operate within a Financial Memorandum issued by the Scotland Office, which is available on our website, or a copy can be provided on request.

3.3 Data protection

Our handling of personal information under the Data Protection Acts is covered by the Ministry of Justice's registration with the Information Commissioner's Office, through the Scotland Office.

We have a Privacy Policy for handling any personal information contained in representations made during public consultations on our proposals.

3.4 Equality issues

We have an Equality Statement which sets out our approach to equality and diversity issues. During the year, we revised the Statement to reflect the passage of the Equality Act 2010. The Statement is available on our website, or a copy can be provided on request.

4 Enquiries and public information

We use our website to inform the public about our work. In addition, the Secretariat responds to requests for information made by email, letter or phone.

4.1 Enquiries

We have a Freedom of Information policy which incorporates the Information Commissioner's Office model publication scheme for public bodies under the Freedom of Information Act 2000. Our Freedom of Information policy and the model publication scheme are available on our website, or a copy can be provided on request.

During 2010-11, the Secretariat received and responded to 73 enquiries relating to us and our work. Of these, 6 stated that they were being made under the Freedom of Information Act. No requests for review or appeals to the Information Commissioner's Office were made regarding our handling of information requests. Enquiries are reviewed to assess whether they indicate possible improvements or additions to our website.

4.2 Website

Our website remains a primary means for us to make information available. We update the website with all material which we publish.

4.3 Information Papers

We have extended our set of Information Papers during the year. The set now includes a short General Guide to us and our work, and a reference guide to all the constituency names resulting from our reviews. The set also now includes extensive summaries of past constituencies resulting from our reviews, dating back to our establishment in 1944. The Information Papers are available on our website, or a copy can be provided on request.

4.4 Review information

During a review, we publish information on our proposals at display points which we agree with local authorities, typically libraries and council offices.

We publish the minutes of our meetings on a staged basis during a review. Thus, we publish the minutes relating to our decision-making on our Initial Proposals for constituencies after those Initial Proposals have been published for consultation. We publish all of the meeting papers relating to a review when we submit our report to the Secretary of State for Scotland.

5 Review activity

5.1 Scottish Parliament boundaries

On 26 May 2010, we submitted the report on our *First Periodic Review of Scottish Parliament Boundaries* to the Secretary of State for Scotland, meeting the statutory deadline of 30 June 2010. Subsequently, Parliament passed the Scottish Parliament (Constituencies and Regions) Order 2010 (SI 2010/2691) which implemented the recommendations from our review in full.

It is gratifying that as this Annual Report was being written, preparations were being made for the Scottish Parliament elections which used the resulting constituencies and regions.

Our Secretariat continues to respond to enquiries from members of the public, the media, political parties and politicians about the new boundaries.

We note the implementation on 1 April 2011 of the recommendations of a review by the Local Government Boundary Commission for Scotland of the boundary between East Dunbartonshire and Glasgow City council areas at Princes Gate and Greenacres by Robroyston. As a result, the Scottish Parliament constituency boundary resulting from our First Review of Scottish Parliament Boundaries no longer aligns with the council area boundary in that vicinity. We will decide whether to conduct an interim review of the boundary in that area in time for the next Scottish Parliament elections which are expected in 2015 or 2016.

5.2 Westminster constituencies

As noted above, on 4 March 2011 we announced the start of our *Sixth Review of Westminster Constituencies* which is the first review to be conducted under the amended legislation passed by Parliament earlier this year.

The number of constituencies in the United Kingdom to result from that review is 600. The number of constituencies in Scotland, and in each of the other home countries, is calculated in proportion to each country's parliamentary electorate on 1 December 2010. As a result of that calculation, there will be 52 constituencies in Scotland resulting from the review, and the legislation specifies that 1 constituency will cover the Orkney and Shetland islands, and another constituency will cover Na h-Eileanan an Iar (the Western Isles).

The remaining 50 constituencies in Scotland will result from our deliberations and recommendations. We are looking forward to publishing our Initial Proposals for public consultation in October 2011.

6 Other activities

6.1 Accommodation and IT provision

The Secretariat moved in May 2010 to Thistle House, near Haymarket, Edinburgh on the expiry of the lease on the previous office. The new accommodation is more modern than the previous office, and has reduced the office running costs substantially. Thistle House is a Scottish Government building. In specifying and designing the office accommodation, the Secretariat has ensured that our independence remains clear. The Secretariat has reviewed IT provision subsequent to the move, and has concluded that in the new office, the case for moving to an externally-managed IT service is not strong. As a result, the Secretariat has renewed part of its internally-managed IT infrastructure, by purchasing new desktop computers for staff which replaced machines that were a number of years old.

6.2 Risk Management

We have developed a Risk Management policy covering our work and the work of the Local Government Boundary Commission for Scotland.

6.3 Staffing and training

During the year, the Secretariat has recruited permanent staff to a number of posts which were either vacant, or filled by temporary staff. Training has continued to meet staff and review requirements.

6.4 Liaison with others

6.4.1 Scotland Office

We continue to have regular contact and dialogue with the Scotland Office as our sponsoring department.

6.4.2 Ordnance Survey

Liaison with Ordnance Survey has continued, ensuring that the Secretariat has access to the optimum set of mapping data products to support its work, and receives technical advice in the deployment of those products. The Secretariat and Ordnance Survey continue to work together to ensure the smooth flow of accurate information about our decisions to inform Ordnance Survey's boundary products. This year, the licensing of Ordnance Survey data to Scottish public bodies has been covered by a new agreement, known as the One Scotland Mapping Agreement. The Secretariat has participated actively in the management and implementation of that agreement.

6.4.3 National Records of Scotland

The Secretariat liaises regularly with staff of the National Records of Scotland (formerly the General Register Office for Scotland) on shared interests.

6.4.4 Office for National Statistics

The Secretariat continues to liaise with the Office for National Statistics (ONS).

6.4.5 Other organisations

The Secretariat maintains and develops contacts with the Association of Electoral Administrators, the Scottish Assessors' Association-Electoral Registration Committee, the Society of Local Authority Lawyers & Administrators in Scotland (SOLAR) and the Society of Local Authority Chief Executives (SOLACE), the Electoral Commission and other UK Boundary Commissions. This has been through attendance at meetings of the Scottish and Northern Ireland Branch of the Association of Electoral Administrators, the Electoral Commission's Political Parties Panel in Scotland, liaison meetings with other UK Boundary Commissions and email correspondence.

7 Expenditure

Our expenditure for the year 2010-11 is set out under broad headings in the table below. After setting the initial budget, the Secretariat re-forecasts expenditure during the year, and keeps the Scotland Office informed of the likely expenditure for the year. Any required resources have to be approved by Parliament.

Financial Performance April 2010 - March 2011		
	Budget (£)	Actual (£)
Staff Salaries	122,696	98,179
Commissioners' Fees	14,000	16,682
Accommodation	26,000	23,175
Administration	30,000	20,424
Mapping	40,000	39,097
Travel and subsistence	2,000	2,837
Review costs	5,000	4,471
Total	239,696	204,864

7.1 Staff salaries

Salary costs are determined by the pay arrangements for our staff, who are employees of the Scottish Government. The underspend during 2010-11 on staff salaries arose from the good progress made on the First Periodic Review of Scottish Parliament boundaries during 2009-10, resulting in lower demand for staff resources in this year.

7.2 Commissioners' fees

Commissioners' fees are determined by the Secretary of State for Scotland and cover attendance at all of our scheduled meetings and associated preparation, meetings held with other UK Boundary Commissions and ad hoc meetings held with other bodies. Commissioners' fees are paid on a per diem basis. The fee rate for Commissioners from 1 April 2010 has been unchanged from the previous year as £505.50 per day.

7.3 Accommodation

We share accommodation with the Local Government Boundary Commission for Scotland. The figures shown in the above table in respect of accommodation reflect our share of rent, business rates, utilities and services such as insurance, management fees and office cleaning.

7.4 Administration

Administration costs include office equipment and furniture, stationery and other consumables, telephone, facsimile and email, publications and advertising, staff and Commissioner training, computer software maintenance, support and licence fees.

7.5 Mapping

Mapping costs cover data licences and consumables. The chief item under this heading is the Secretariat's contribution to a collective licence between Scottish public bodies and Ordnance Survey for the use of its spatial data products.

7.6 Travel and subsistence

Travel and subsistence includes rail, air and car-hire costs incurred by the Secretariat and Commissioners in the course of official business. Travel and subsistence costs are paid at rates determined by the Scotland Office.

7.7 Review costs

Review costs cover those items directly attributable to the conduct of our boundary reviews, and include newspaper advertising and printing.

8 Work programme for 2011-12

Our planned activities for 2011-12 are set out in our Corporate Plan for the period 2011-14 which is available on our website. Those activities are summarised here:

- working on our Sixth Periodic Review of Westminster Constituencies, which we expect will take until September 2013 to complete;
- considering whether to conduct an Interim Review of Scottish Parliament boundaries as a result of boundary changes arising from the review by the Local Government Boundary Commission for Scotland (LGBCS) of the boundary between East Dunbartonshire and Glasgow City council areas at Princes Gate and Greenacres by Robroyston;
- liaising with other UK Boundary Commissions;
- providing ongoing training as appropriate to meet staff and review requirements;
- maintaining contact with Ordnance Survey and other relevant bodies on boundary related issues;
- maintaining links with organisations involved with electoral matters; and
- continuing to meet all financial and other requirements of our Financial Memorandum and other key sponsorship documents.

9 Further information

If you have a query which cannot be answered by this report or our website (www.bcomm-scotland.gov.uk) please do not hesitate to contact us either by email, telephone or in writing.



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