

EAST AYRSHIRE COUNCIL

POLICY AND RESOURCES COMMITTEE - 12 APRIL 2005

INQUIRY INTO BOUNDARIES, VOTING AND REPRESENTATION IN SCOTLAND: THE ARBUTHNOTT COMMISSION

Report by the Chief Executive

1. PURPOSE OF REPORT

- 1.1 To inform the Committee of a consultation exercise undertaken by the Arbuthnott Commission in respect of an Inquiry into boundaries, voting and representation in Scotland and to agree the Council's response thereon.

2. BACKGROUND

- 2.1 The Secretary of State for Scotland set up a Commission on boundary differences and voting systems. The Commission's task is to consider the consequences of having in the near future four separate voting systems for elections in Scotland and also different boundaries for Holyrood (73) and Westminster (59) constituencies. The Commission considers that it is important that there are fair and clear arrangements for elections in Scotland. The Commission is carrying out a wide ranging consultation across Scotland and the Council has an opportunity to comment on the ten questions raised within the consultation document. **A copy of the consultation document has been placed in the Members' Information Point.** Comments on the 10 questions must be submitted by 15 April 2005.

3. THE ARBUTHNOTT COMMISSION REMIT

- 3.1 The Commission's remit is to examine the consequences of having four different systems of voting in local and parliamentary elections in Scotland and different boundaries between Westminster and Scottish Parliamentary constituencies for:-

- voter participation;
- the relationship between public bodies and authorities in Scotland and MPs/MSPs; and
- a representation of constituents by different tiers of Elected Members.

- 3.2 The Commission has also been asked to make recommendations on whether these consequences require action to be taken in respect of:-

- arrangements between elected representatives, to ensure that constituents and organisations receive the best possible service;
- the pattern of electoral boundaries in Scotland;
- relationships with other public bodies and authorities in Scotland; and

- the method of voting in Scottish Parliament elections.

3.3 The Commission is to make recommendations on the form of any action, while respecting the principles of the devolution settlement.

3.4 The Commission is required to be independent, transparent and consultative.

4. CONSULTATION

4.1 Due to the nature of the questions involved, it was considered appropriate to provide an opportunity for the political groups within East Ayrshire to feed into the report if they so wish. Each political group is, of course, free to submit its own views direct to the Commission.

4.2 The Administration has intimated that they will be guided by the Council and CoSLA in regard to submissions to the Arbuthnott Commission. The Opposition group has intimated that they will be submitting views direct to the Commission.

Councillor Young has intimated that she will be submitting views direct to the Commission.

5. CoSLA

5.1 CoSLA at its Modern Governance Executive Group on 18 February 2005 and thereafter at its Leaders' Meeting on 18 March 2005 gave consideration to CoSLA's response to the consultation. A copy of their submission is attached to assist the Committee in its consideration of this matter.

6. FINANCIAL/LEGAL/POLICY IMPLICATIONS - Nil.

7. CONCLUSION

7.1 In light of the nature of the subject matter and in recognition that CoSLA is the representative voice of Scottish Local Government, it is suggested that the Committee gives consideration to supporting CoSLA's response to the consultation.

8. RECOMMENDATION

8.1 It is recommended that Committee considers:-

- (i) whether to support or otherwise CoSLA's submission to the Inquiry into boundaries, voting and representation in Scotland; and
- (ii) otherwise, to note the report.

Fiona Lees
Chief Executive

BW/SM
21 March 2005

(Enc1)

LIST OF BACKGROUND PAPERS - NIL

Any person wishing further information on this report should contact Bill Walkinshaw, Administration Manager on Tel No (01563) 576135.

APPENDIX

Draft Response from the Convention Of Scottish Local Authorities

Commission on Boundary Differences and Voting Systems: Inquiry into Boundaries, Voting and Representation in Scotland

Questions and Responses

1. How important do you think it will be, either in voting or for dealing with your political representatives, to have common boundaries for Scottish Parliament and Westminster constituencies?

COSLA's view is that it will be confusing for members of the public where the constituencies for MSPs and MPs have the same name but cover different areas.

2. Do you currently experience difficulty in identifying who to approach -local councillor; constituency MSP; regional MSPs; MP; or MEPs -to deal with a particular issue? If so, what changes might make this easier?

This is likely to be an issue where councillors' roles are being confused with those of MSPs, but more likely to arise from confusion over competency for each sphere of governance, rather than being an issue arising from physical boundaries to wards and constituencies.

3. If it is decided to keep the same boundaries, or a system of common ones, for Westminster and Scottish Parliament constituencies, what structure (such as in the examples listed below) would provide the best way of achieving this?

- 2 MSPs for each new Westminster constituency (2 x 59), with a top up of 11 MSPs from a national list.
- 60 constituency members and 69 (or 60) list members, from either regions or a national list.
- Grouping the new Westminster constituencies to form larger Holyrood multi-member constituencies.
- Hybrid system, with rural constituencies the same as for Westminster and multi-member seats in the cities and urban areas.

There is a need to balance the member ward / constituency link, which is a longstanding policy of COSLA, with the confusion that multiple voting systems are likely to contribute towards, and may put off voters. The third option could result in the extension of STV to MSPs, which would at least result in a reduction of the voting systems used. However, if this is pursued the issue of coterminosity with council boundaries will arise and many multi member constituency MSPs will be covering more than one local authority area. This would not necessarily be a bad thing, if it resulted in a clearer understanding of the differences in responsibility between the two spheres of government.

Our view is that STV is the best voting system for MSPs, partly because of its consistency with a new 2007 arrangements for councillors.

COSLA questions the assumption that there should be 129 MSP seats, there is no reason why this should not be a greater or smaller number.

The use of hybrid arrangements would create different thresholds for urban and rural areas and consequently different problems for political parties whose strengths lie in one or other of these areas.

4. How important is it to have close identification between elected representatives and specific areas? If this is significant, what is the maximum size and population for effective representation?

This to a great extent depends on the natural unit sizes for strategic planning of the services that the representative has responsibility for. Therefore, again competencies need to be considered.

5. Would it be useful if other public bodies, such as health boards, also fitted within constituency and ward boundaries?

There are two fundamental principles here, one is governance, and the other arrangements for strategic planning. Tidying maps up is of no immediate importance. The coterminosity of boundaries between an area in which a service is provided and ward and council areas will be advantageous where local government has either the lead strategic planning role for those services or is responsible for their governance. We would assume that in all cases the principle of subsidiarity would be applied bringing service management and its accountability to the sphere of governance closest to the people. However, boundaries following local authority ones, rather than cutting through them will make simpler the partnership arrangements required for the effective delivery of services.

The issue of coterminosity with Scottish Parliamentary constituencies should only arise with services MSPs have a direct responsibility for.

6. What impact do you think having four different systems of electing representatives will have on voters, and on how effectively constituents are represented?

While there is good evidence that voters are aware of the systems being used and can choose to vote differently with respect to the level of representation, there has been a falloff in the proportion of people voting. It is not clear whether this is because of voter confusion, or perhaps merely an increase in scepticism perhaps added to by the lack of a case being made over why there should be so many different forms of voting.

7. What is your view on the operation of the voting systems used for elections to the Scottish Parliament and the European Parliament?

{No response suggested to this question}.

8. Do you think electors will be confused by having to vote using the new single transferable vote system for local government elections on the same day as using the additional member system for the Scottish Parliament elections?

In our submissions to the Scottish Parliament COSLA argued both against the different voting systems being proposed and, in the event of our being unsuccessful, for the decoupling of the two. However, STV could also be an option for the Scottish Parliament.

9. Does the existing structure of constituency and regional list MSPs generally work to the benefit of constituents, or have you experienced difficulties in the representative roles of these two types of MSP?

It is clear that there are differences between the two types of MSP. As list MSPs do not have a clear constituency based role the current system leaves them open to accusations of being under-occupied and 'cherry picking' issues that appeal to them.

10. Are there improvements that could usefully be made in the way MSPs are elected?

The STV system as intimated earlier.