INTRODUCTION

1. This document relates to the Proportional Representation (Local Government Elections) (Scotland) Bill introduced in the Scottish Parliament on 26 June 2002. It has been prepared by Tricia Marwick MSP, the member in charge of the Bill, under Rule 9.3.3A(b) of the Parliament’s Standing Orders. The contents are entirely the responsibility of the member and have not been endorsed by the Parliament.

2. Explanatory Notes are published separately as SP Bill 58–EN. A Financial Memorandum (and Presiding Officer’s statement on legislative competence) was published separately on introduction as SP Bill 58–FM.

POLICY OBJECTIVES OF THE BILL

3. The objective of the Bill is to replace the current system of first-past-the-post voting used to elect Scotland’s 32 local authorities with proportional representation using the single transferable vote (STV) system.

Advantages of the Single Transferable Vote system

4. STV ensures that no votes are wasted. It permits electors to express a series of preferences for how their votes are allocated. Votes are transferred from both the bottom (i.e. from candidates who are eliminated on the basis of low first-preference scores) and from the top (i.e. from candidates who score more than a quota, calculated as the minimum number of votes a candidate needs to secure election). As a result, voting for a candidate who is either likely to have a huge majority, or for one with little chance of success, does not mean that the vote is wasted. Surplus votes are redistributed until one of the candidates for whom a preference was expressed is elected.

ALTERNATIVE APPROACHES

5. Because the current first-past-the-post system for local government elections is imposed in primary legislation, changing to STV can be achieved only through a Bill to amend that primary legislation. Given the recommendation made by the Kerley working group (see below), alternative forms of proportional representation to STV were not considered.
CONSULTATION

6. The proposal to reform the election system was first raised and considered in the McIntosh Commission on Local Government. Responses to that consultation showed strong support for the reform of the method of electing local authorities. McIntosh concluded that proportional representation was the best electoral method for local government, and that the system of PR chosen should be the one that best satisfies the following criteria: proportionality, the councillor-ward link, fair provision for independents, allowance for geographical diversity and a close fit between council wards and natural communities.

7. The Kerley report, *Renewing Local Democracy*, recommended that the STV system best met the McIntosh criteria.

8. The member is satisfied that sufficient consultation, particularly through the McIntosh and Kerley exercises, has been undertaken on the proposals contained in the Bill.

EFFECTS ON EQUAL OPPORTUNITIES, HUMAN RIGHTS, ISLAND COMMUNITIES, LOCAL GOVERNMENT, SUSTAINABLE DEVELOPMENT ETC.

9. The Bill is not expected to have an adverse impact on equal opportunities, human rights, island communities and sustainable development.

10. The Bill will have a positive impact on local government as the proposed electoral system is intended to improve the link between elected officials and the local community. This should ensure a greater degree of accountability and improve communication on local government issues between local authorities and the communities they serve.

11. The Bill should ensure that councils reflect the political choices made by the electorate. Under the current system a single party may predominate, even though it achieves less than 50% of the votes cast.

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PROPORTIONAL REPRESENTATION (LOCAL GOVERNMENT ELECTIONS) (SCOTLAND) BILL

POLICY MEMORANDUM

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