

Local Government, Housing and Planning Committee

5th Meeting, 2021 (Session 6)

Tuesday 21 September 2021

Electoral Arrangements Regulations

Introduction

1. The Committee will consider draft laws on changes to electoral arrangements in six council areas. These local authorities all contain inhabited islands and are:
 - Highland Council
 - Argyll and Bute Council
 - North Ayrshire Council
 - Shetland Islands Council
 - Orkney Islands Council
 - Comhairle nan Eilean Siar (Western Isles Council)

Background

2. The [Islands \(Scotland\) Act 2018](#) placed a duty on Boundaries Scotland to review the electoral boundary arrangements for the six local authorities in Scotland which contain inhabited islands “as soon as practicable”.
3. The [review](#) formally commenced in January 2019 and Boundaries Scotland reported to the Scottish Government in May and June 2021. The reports are:
 - [Na h-Eileanan an Iar Council Area](#)
 - [Orkney Islands Council Area](#)
 - [Shetland Islands Council Area](#)
 - [Highland Council Area](#)
 - [Argyll and Bute Council Area](#)
 - [North Ayrshire Council Area](#)

4. The submission of proposals was timed to allow for implementation in time for the local government elections in May 2022, subject to Parliamentary approval.

Legislation

5. The Scottish Government is mandated to give effect to the proposals from Boundaries Scotland in draft legislation and cannot amend or reject the proposals. The Deputy First Minister wrote to the Presiding Officer (**Annexe A**) outlining this process.
6. The instruments are:
 - [Draft SSI 2021/Na h-Eileanan an Iar \(Electoral Arrangements\) Regulations 2021](#)
 - [Draft SSI 2021/ Orkney Islands \(Electoral Arrangements\) Regulations 2021](#)
 - [Draft SSI 2021/ Highland \(Electoral Arrangements\) Regulations 2021](#)
 - [Draft SSI 2021/ Argyll and Bute \(Electoral Arrangements\) Regulations 2021](#)
 - [Draft SSI 2021/ North Ayrshire \(Electoral Arrangements\) Regulations 2021](#)
 - [Draft SSI 2021/ Shetland Islands \(Electoral Arrangements\) Regulations 2021](#)
7. They are subject to the [affirmative procedure](#) and have been referred to the Local Government, Housing and Planning Committee.

Meetings

8. At the meeting, the Committee will hear from the following on the instruments:
 - Ronnie Hinds, Chair of Boundaries Scotland
 - Ailsa Henderson, Deputy Chair of Boundaries Scotland
 - Colin Wilson, Review Manager for the Scottish Boundary Commissions Secretariat
9. At its next meeting the Committee will hear from the Deputy First Minister, John Swinney MSP

Clerk to the Committee
Local Government, Housing and Planning Committee

Annexe A**Letter to the Presiding Officer**

26 August 2021

Dear Presiding Officer

The following instruments, which give effect to Boundaries Scotland's proposals for the future electoral arrangements of six council areas, are due to be laid in Parliament on 26 and 27 August 2021:

- Argyll and Bute (Electoral Arrangements) Regulations 2021
- Comhairle nan Eilean Siar (Electoral Arrangements) Regulations 2021
- Highland Council (Electoral Arrangements) Regulations 2021
- North Ayrshire (Electoral Arrangements) Regulations 2021
- The Orkney Islands (Electoral Arrangements) Regulations 2021
- The Shetland Islands (Electoral Arrangements) Regulations 2021

Since receiving Boundaries Scotland's recommendations on 28 May and 10 June 2021, I have received correspondence from MSPs, Councillors and members of the public, expressing concerns over some aspects of the proposals.

The Scottish Elections (Reform) Act 2020 removed ministerial discretion to modify or reject Boundaries Scotland's proposals, and I now have a duty to lay Regulations which give effect to the proposals. The regulations are now subject to affirmative procedure in the Scottish Parliament. This gives Parliament an enhanced role in scrutinizing Boundaries Scotland's proposals, and brings the procedure into line with that already in place for Scottish Parliament constituency boundaries.

If your officials would like to discuss any matters arising from these Regulations, my officials would be happy to engage with them.

I am sending a copy of this letter to the Convenor of the Local Government, Housing and Planning Committee.

JOHN SWINNEY