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**REPORT TO: MORAY COUNCIL ON 10 NOVEMBER 2021**

**SUBJECT: INITIAL REVIEW PROPOSALS FOR UK PARLIAMENTARY CONSTITUENCIES**

**BY: DEPUTE CHIEF EXECUTIVE (EDUCATION, COMMUNITIES AND ORGANISATIONAL DEVELOPMENT)**

**1. REASON FOR REPORT**

- 1.1 To inform the Council of the initial proposed changes to the UK Parliamentary (UKP) constituency in the Moray Council area.
- 1.2 This report is submitted to Council in terms of Section (II) (9) of the Council's Administrative Scheme relating to elections and electoral boundaries.

**2. RECOMMENDATION**

**2.1 It is recommended that the Council:**

- i) **consider and note the proposals made by the Boundary Commission for Scotland for the constituency covering the Moray Council area; and**
- ii) **agree whether to submit a consultation response to the Boundary Commission for Scotland and provides guidance on the content of any response.**

**3. BACKGROUND**

- 3.1 The Boundary Commission for Scotland (BCS) has been tasked by the Parliamentary Constituencies Act 1986 to undertake a review of UK Parliamentary (UKP) constituencies. The BCS must submit their report to the Secretary of State for Scotland and thereafter recommendations to the Speaker of the UK Parliament by 1 July 2023. On acceptance the revised constituencies will be used in future UK Parliamentary elections thereafter.
- 3.2 The Moray Local Authority area (LA) is currently covered by one UKP constituency of Moray, the boundary of which is coterminous with the LA boundary with an electorate at the time of review, being 71,537 as at 2 March 2020.

- 3.3 Existing constituency boundaries in Moray have been in place since 2005 and have been used in the last 5 general elections.
- 3.4 Scotland has been allocated 57 UKP constituencies in this review, two fewer than the present 59 UKP constituencies. Each new UKP constituency, with the exception of two protected island UKP constituencies, has between 69,724 – 77,062 electors.
- 3.5 The BCS form their constituency design proposals with reference to legal procedure and balancing inter-dependent requirements including the legal parameters of;
- total size in km<sup>2</sup>, not exceeding 13,000km<sup>2</sup>
  - total constituency electorate within 5% of UK electoral quota of 73,393

and their own policy principles which the BCS have set out as:

- recognising community ties
  - special geographic considerations
  - local geography including transport links, other electoral and administrative boundaries, and natural features
  - do not cross a council area boundary, or where not practicable propose constituencies that are each wholly within two neighbouring council areas.
  - minimise disruption caused by any boundary changes
- 3.6 The BCS published initial proposals for 57 new UKP constituencies on 14 October 2021, seeking responses by interested parties by 8 December 2021.

#### **4. BOUNDARY COMMISSION PROPOSALS**

- 4.1 The initial BCS proposals will see Moray LA area become part of three new UKP constituencies as noted below. These constituencies form part of the wider Aberdeen City, Aberdeenshire, Argyll and Bute, Highland and Moray council area groupings;

<b>New Constituency</b>	<b>Electorate</b>	<b>Area covers*</b>	<b>Moray local government wards</b>
Banff and Buchan	72,837	Aberchirder, Buckie, Keith, Fraserburgh, Maud, Mintlaw, Peterhead	2 – Keith and Cullen 3 - Buckie
Gordon and Moray South	73,121	Ellon, Huntly, Turriff, Inch, Inverurie, Kintore, Old Meldrum, Dallas, Rothes, Aberlour, Dufftown, Tomintoul	1 – Speyside Glenlivet
Highland East and Elgin	72,038	Badenoch and Strathspey, Nairn, Forres, Lossiemouth and Elgin	4 – Fochabers Lhanbryde 5 – Heldon and Laich 6 – Elgin City North 7 – Elgin City South 8 - Forres

*\* not exhaustive, main communities listed only for reference*

- 4.2 The maps of the proposed UKP constituencies provided by the BCS are contained within **Appendix 1** to this report.

## **5. COMMENTARY AND CONSIDERATIONS**

- 5.1 Historically the UKP constituency covering the Moray area covered the whole Moray council and previously Moray District area. In 1983 the current Moray UKP constituency was created from the former constituencies of Moray and Nairn and Banffshire. Between 1997-2005 the Moray UKP constituency covered a slightly smaller area excluding an area to the west, including Keith.
- 5.2 In 2011-2013, the BCS commenced a review which was later abandoned. The initial proposals for Moray at that time were a constituency which encompassed the current Moray constituency and Ward 21 (Badenoch and Strathspey) of the Highland Council area and the renaming the constituency 'Moray and Strathspey'. On 20 October 2016 the BCS published initial proposals for the 2018 review which resurrected the final proposals from the previously abandoned 2011 -13 review. The final proposals were later revised following our response to the consultation to become a constituency of "Moray and Nairn" which encompassed the Moray constituency plus Ward 19 (Nairn) of the Highland Council. Paragraph 18 of the minute of the meeting of the Moray Council dated 7 December 2016 refers.
- 5.3 Due to the legislative constraints in the review rules for the redistribution of seats and equalisation of constituency electorates it is considered unlikely the BCS will amend their proposals to leave Moray UKP constituency as it currently stands. In the interests of the electorate/local authority residents it is considered a representation should be made to make the view of the council known on the initial proposals set out.
- 5.4 The design of the proposed UKP constituencies is beyond any historical constituency boundaries that may have been recognised previously.
- 5.5 The splitting of the Council area into three new UKP constituencies and their resulting design does appear not to meet with many of the policy principles as described in section 3.5.
- 5.6 The new UKP constituency boundaries proposed are based on building blocks of individual local government wards and notably there are no Moray local government wards which have been traversed by the proposed UKP constituency boundaries.
- 5.7 Due to the growth in Elgin and spread of residential development up to, and out with the current boundaries of Wards 6 - Elgin City North into Ward 4 - Fochabers Lhanbryde / Ward 5 – Heldon and Laich and in Ward 7 – Elgin City South into Ward 4 – Fochabers Lhanbryde / Ward 5 - Heldon and Laich it is likely at the next local government review due approximately 2024 – 2028 that ward boundaries may vary significantly within the confines of the procedures for reviewing boundaries, to accommodate this growth.
- 5.8 Any newly laid UKP constituencies (should these initial proposals be taken forward) may traverse future ward boundaries to the south of Elgin and

potentially cause issues in terms of provision of polling places and cross constituency conflicts during elections. Local government ward boundaries are reviewed by Boundaries Scotland and not the BCS.

- 5.9 The BCS recommend names for constituencies and encourage local authorities to submit suggestions to them during the review.

## **6. SUMMARY OF IMPLICATIONS**

**(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))**

None

**(b) Policy and Legal**

The legislation governing this review is set out in the Parliamentary Constituencies Act 1986, and the BCS have also published their policies and procedures on their website in relation to this review.

**(c) Financial implications**

No direct implications have been identified from the publication of these initial proposals.

**(d) Risk Implications**

The initial proposals due to their radical boundary changes are disruptive to political and community organisations as well as potentially causing administrative issues for both the local authority in conducting its business and delivering services and the Grampian Valuation Joint Board in administering the electoral register.

Quality of representation may suffer for Moray council area as a whole due to the area being represented by three different Members of Parliament potentially of differing political affiliation. These members will have to build new relationships with these revised areas that have differing demographics, and economic and social issues. In addition refer to section 5, 6e and 6g below.

**(e) Staffing Implications**

In the event that these proposals are accepted by ministers, there will be a change to how elections are administered during a UK Parliamentary election in the Moray area which will have staffing implications.

It is unclear at this stage whether responsibility will be given to the Moray Council Returning Officer for the Highland East and Elgin constituency or whether this would remain with the Highland Council Returning Officer during a general election. From reviewing the BCS material and the geographic and population spread of the proposed constituencies the Banff and Buchan / Gordon and Moray South constituency it is assumed this would become the responsibility of the Aberdeenshire Council Returning Officer during a general election. This would be subject to further legislation when the constituency boundaries are formally laid.

**(f) Property**

No direct implications identified currently from the publication of these initial proposals.

**(g) Equalities/Socio Economic Impact**

From an elections perspective there is an expectation these changes will not put one or more groups of people at a disadvantage through direct discrimination but will disadvantage some groups by geographical remoteness or disconnect from historically recognised boundaries and thereby access to the electoral and democratic process. The grouping of communities with little in common and where there is keen sense of identity is likely to be contentious. This may have a negative impact on voter participation and awareness and cause voter confusion.

**(h) Consultations**

Consultation has been undertaken with the Chief Executive, Returning Officer, Democratic Services Manager, Equalities Officer and Tracey Sutherland, Committee Services Officer.

**5. CONCLUSION**

- 5.1 The Boundary Commission for Scotland have proposed major changes to the UK Parliamentary constituency which currently covers the Moray council area. Should the proposals be accepted by ministers, the change in electoral boundaries will have wide ranging impacts for representation for voters, delivery of elections, and for staff and elected members engaging with Members of Parliament.**

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Background Papers:  
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