



REPORT TO: MORAY COUNCIL ON 7 DECEMBER 2022

SUBJECT: REVISED 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 revised proposals for the boundaries of UK Parliamentary constituencies 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 the revised proposals made by the Boundary Commission for Scotland for the constituencies covering the Moray Council area,**
- ii) agrees whether to submit a consultation response to the Boundary Commission for Scotland and provides guidance on the content of any response; and**
- iii) delegates authority to the Depute Chief Executive (Education, Communities & Organisational Development) to draft a consultation response based upon the debate and outcome of the meeting.**

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.

- 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, being 71,537 as at 2 March 2020. Existing constituency boundaries in Moray have been in place since 2005 for the preceding five general elections.
- 3.3 Historically the UKP Moray constituency 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, which included Keith.
- 3.4 The BCS of 2013 and 2018 sought to reduce the total number of constituencies to 600. Neither of these reviews resulted in UKP constituency changes and the reviews were not implemented by parliament.
- 3.5 For this review, the number of seats for the House of Commons is fixed at 650. Scotland has been allocated 57 UKP constituencies, 2 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.
- 3.6 The primary focus of this review is to equalise electorates in each seat. The BCS form their constituency design proposals with reference to legal procedure and balancing inter-dependent requirements including;
- total size in km², not exceeding 13,000km²
 - total constituency electorate within 5% of UK electoral quota of 73,393
- and may consider other sub-ordinate factors set out as;
- recognising local and community ties
 - special geographic considerations including size, shape and accessibility of the constituency
 - 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.
- 3.7 The initial BCS proposals published in November 2021 set out that the Moray LA area become part of three new UKP constituencies rather than one. The council submitted a response in the consultation in late 2021, objecting to the proposals. Para 7 of the minute of the meeting of the Moray Council dated 21 November 2021 refers.

4. BOUNDARY COMMISSION REVISED PROPOSALS

- 4.1 Following consultation and review, the BCS published revised proposals on 8 November 2022 mapping the Moray LA area to be split and become part of two new UKP constituencies shared with Highland and Aberdeenshire LA;

- Aberdeenshire North and Moray East
- Nairn, Strathspey and Moray West

New Constituency	Electorate	Area covers*	Moray Council wards
Aberdeenshire North and Moray East	69,802	Fraserburgh, Peterhead, Rosehearty, Portsoy Macduff, Banff, Buckie, Cullen, Aberchirder, Keith, Fochabers, Lhanbryde	2– Keith and Cullen 3– Buckie 4 – Fochabers Lhanbryde
Nairn, Strathspey and Moray West	76,914	Dalwhinnie, Newtonmore, Kingussie, Aviemore, Carrbridge, Grantown-on-Spey, Dallas, Rothes, Aberlour, Dufftown, Glenlivet Tomintoul, Nairn, Forres, Lossiemouth, Elgin	1 – Speyside Glenlivet 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 BCS maps of the proposed UKP constituencies relating to Moray are contained within **Appendix 1** to this report. Notably no Moray local government wards are traversed by the proposed UKP constituency boundaries, leaving the wards intact.
- 4.3 The main revisions compared to the initial proposals are;
- Moray local authority area is split across two, not three constituencies
 - Ward 1 is incorporated westwards into a cross constituency with Highland Council
 - Ward 4 moves east to a cross constituency with Aberdeenshire Council, with the revised constituency boundaries flanking the east side of Elgin.
- 4.4 BCS are seeking consultation responses on the revised proposals by 5 December 2022. The Returning Officer has sought an extension from the BCS until 9 December to allow council to meet.

5. COMMENTARY AND CONSIDERATIONS

- 5.1 Due to the legislative review constraints, rules for the redistribution of seats and equalisation of constituency electorates, it is considered unlikely the BCS will amend their revised proposals to retain the current Moray UKP constituency in isolation from amendment, despite already meeting the electorate quota.
- 5.2 The design of the revised proposed UKP constituencies is beyond any historical constituency boundaries previously recognised.
- 5.3 The splitting of the Council area into two new UKP constituencies and their resulting design does appear not to meet with many of the policy principles as set out in section 3.5

- 5.4 The constituency boundaries proposed east of Elgin will immediately sever residents in new developments from the rest of Elgin, due to the ongoing development out with the current Ward 6 and 7 boundaries into Ward 4.
- 5.5 It is likely at the next local government review due approx. 2024 – 2028 that ward boundaries may vary significantly to accommodate growth. Any newly laid UKP constituencies will traverse future ward boundaries to the east of Elgin splitting further Elgin residents across two UKP constituencies. This will cause issues in providing polling places within the constituency at a general election, cross constituency administrative conflicts during polls and voter confusion in understanding representation and boundaries.
- 5.6 It is notable that the Nairn, Strathspey and Moray West constituency with an electorate of 76,914 at time of review is only just within the required upper limit of 77,062. Based on data from 2 March 2020, of all Scottish constituencies this constituency has the second largest electorate in Scotland, without considering any further residential development since the baseline was set.
- 5.7 The BCS recommend names for constituencies and encourage local authorities to submit suggestions to them during the review.
- 5.8 The Elections Officer and the Systems Manager, as with the initial proposals will examine the fine detail of the constituency data and mapping to note any minor divergence from the ward boundaries. If any divergence is noted this will be directly highlighted to the BCS in a separate response.

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 online in relation to this review.

(c) Financial implications

No direct financial implications have been identified from the publication of these revised proposals. Should these proposals be adopted, there may be financial implications relating to core staff. Staffing costs relating to poll delivery in the statutory election period may be reclaimed from central government, if within guidelines. See 6(e).

(d) Risk Implications

Separating the current Moray constituency into two geographically remote constituencies is disruptive to administrative, political and community organisation. Furthermore, this proposal exacerbates administrative issues for both the local authority in conducting its

business and delivering services including elections, 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 two 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, and 6e and 6g below.

If the proposals are adopted and are promptly followed by a General Election, the combined effect of these changes along with the requirements of the Elections Act 2022 coming into force in May 2023, will place the successful delivery of the election at significant risk.

(e) Staffing Implications

It is unclear at this point whether, during a General Election, responsibility will be given to the Moray Returning Officer for one, both or neither of the proposed constituencies in the Moray LA area. This would be subject to further legislation, and determined by the Secretary of State, when the constituency boundaries are laid.

Depending on constituency allocation to the Returning Officer, the way elections are administrated and delivered in Moray during a General election will have to substantially change due to the significant geographic spread of the constituencies and increase in electorate. This will have additional staffing implications.

If the Moray Council were to administer the elections for one, or more, constituencies there will be increased costs involved for additional staff time and resources required to put the new arrangements in place, noting the increased burden of Election Act 2022 requirements for Voter ID. A working group will be required between local authorities and electoral registration officers in the cross constituencies with Aberdeenshire and Highland Council to facilitate delivery.

(f) Property

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

(g) Equalities/Socio Economic Impact

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 contentious. This may have a negative impact on voter participation and awareness and cause voter confusion.

In addition, specific impact of the proposed constituency boundary on residents in east of Elgin is noted at 5.4.

Some respondents may consider that the proposals may have a direct impact on the protected characteristics named on the Public Sector Equality Duty. It would be appropriate to consider any representations that advance this argument when considering if a constituency breaks local ties.

(h) Climate Change and Biodiversity Impacts

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

(i) Consultations

Consultation has been undertaken with the Returning Officer, Head of Governance, Strategy and Performance, Equalities Officer, Systems Manager 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, splitting the current single constituency into two constituencies shared with neighbouring authorities. Should the revised 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.

Author of Report: Alison Davidson, Elections Officer
Background Papers: Previous [Report](#) and [Appendix](#) to Moray Council on 10 November 2021
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