

MINUTES

A&B - PUBLIC

Shetland Islands Council
Council Chamber, Town Hall, Lerwick
Wednesday 18 December 2019 at 10am

Present:

M Bell	P Campbell
A Cooper	S Coutts
A Duncan	S Flaws
A Hawick	C Hughson
S Leask	M Lyall
A Manson	E Macdonald
R McGregor	D Sandison
I Scott	D Simpson
C Smith	G Smith
T Smith	

Apologies:

J Fraser	A Priest
R Thomson	

In Attendance (Officers):

M Sandison, Chief Executive
J Riise, Executive Manager – Governance and Law
R Christie, Management Accountant
C Anderson, Senior Communications Officer
L Malcolmson, Committee Officer

Chairperson

Mr Bell, Convener of the Council, presided.

Circular

The circular calling the meeting was held as read.

Declarations of Interest

None

76/19 Local Government Boundary Review - Local Government Boundary Commission Detailed Proposals

The Council considered a report by the Executive Manager – Governance and Law (GL-18-19-F) that presented the review of the Council ward boundaries by the Local Government Boundary Commission.

The Executive Manager – Governance and Law introduced the report and it was agreed that discussions would be structured on a ward by ward basis. The Executive Manager – Governance and Law providing historic context and apologised for the delay in reporting to Council. He explained that parity in electoral numbers was a key requirement of the review and should be a consideration as discussion progress. The Executive Manager – Governance and Law said that of all the reviews in the past this one had exercised Community

Councils the most and the Boundary Commission had met with the Association of Community Councils where there was good engagement. He then took Members through the views received from Community Council's set out in section 4 of the report, and Members were invited to comment on each ward in turn.

North Isles

The Council were advised that the Whalsay community sought the status quo position to continue, stating that the geographical workload would be impractical for a single Member. It was noted that the community of Yell were happy with a change to 2 Members but were also not opposed to the status quo position.

Shetland North

The status quo is sought for Shetland North. It was noted that the Delting community is opposed to Voe being separated, opposed to a two Member ward, as this would mean a 10% increase in representation for each Councillor. It was noted that there had been a good turnout in Voe at the Community Council meeting and to move Voe out of Shetland North would affect too many in the area - Voe was described as "the gateway to the North". That view was backed up by Whalsay also seeking the status quo.

Shetland South

It was noted that a Lerwick Member would be better placed to convey the Gulberwick resident's view, but Shetland South Ward Members acknowledged that there was logic in having Gulberwick as part of Shetland South and increasing to a 4 Member ward. This view was held as Gulberwick was part of the Gulberwick, Cunningsburgh and Quarff Community Council; Gulberwick is also involved in the South Mainland Up Helly Aa and there has been a strong connection through South Mainland football. It was also seen that the increase in housing in Lerwick would increase numbers beyond parity. It was noted however that some younger residents in Gulberwick do gravitate to Lerwick for schools and other activities.

Lerwick South

The Lerwick Community Council's view was described, as being clear that Gulberwick should move to the Shetland South ward as being the best option. It was noted that there was a lot of activities for Gulberwick residents in Lerwick through education and health but it did have a more rural feel to it. The housing developments over the next 10 years in Lerwick would mean that the ward numbers for Lerwick South would be disproportionate and require further review. It was noted that the Gulberwick, Quarff and Cunningsburgh Community Council would discuss this matter at its meeting in January 2020 and it was important to do what was best for the community. It was acknowledged also that the Lerwick South Ward would remain a four Member ward.

Lerwick North

The change of Ward name was agreed to include Lerwick North and Bressay Ward. It was seen as important for Bressay to be identified. The Council also recognised that with an increase in housing anticipated in the Lerwick North Ward it was a possibility that the parity on numbers could see an increase to a four Member ward.

Shetland West

The Council were informed that Sandsting and Aithsting Community Council and the Sandness and Walls Community Council were both opposed to the changes proposed to a two Member Ward and an increase to a four Member Central Ward. Concern was expressed that the workload would increase for the two Members

which was considered unfair. It was put forward that the status quo should remain. It was noted that the Community Councils can respond to the consultation in their own right but the Council had to consider its own response.

Further comment was made on the opposition from the two Community Councils and that two Members cannot cover all the work required in the Committee cycles. The Executive Manager – Governance and Law provided advice on the matter and said that this was the Council's opportunity to make changes and as the Boundary Commission may seek to pursue an alternative option if there remains deviation from parity. The Council acknowledged that the status quo would leave a problem that would need to be resolved at a later date.

Central Ward and West Ward

It was acknowledged that there will be population growth in the Ward area and this is something that will cause the voter numbers to deviate from parity. It was noted that the Burra and Trondra Community Council had discussed this matter and it was suggested that if the status quo was put forward there might have to be some later arrangement made with the Boundary Commission if it was not accepted. It was pointed out however that the Boundary Commission's position on parity may mean that they feel obliged to make a recommendation that leads to an imposed solution that fits with their legal responsibilities, making it important for the Council to put forward its view at this time. It was reported that the West Side residents would be happier with a change to a 4 Member Ward as opposed to a 2 Member Ward.

The Executive Manager – Governance and Law provided advice on the voter numbers in the areas and explained where the proposed boundary changes in the Central Ward would fall if these voters were taken into the West Ward. He advised that this would provide an increase of between 110 and 120 voters on the West Ward.

During further consideration it was noted that Members need to be realistic about what the Boundary Commission would accept, and it was noted that the changes suggested would lead to the Council looking at the Committee structures and how the spread in two Member Wards would require a review of the structure. The Convener confirmed that a review would take place before the end of this Council's term and that would include any decisions taken by the Boundary Commission.

The Leader reflected on the roles of the Council and that the argument for parity was strong for Councillors. He said that for the Boundary Commission it was a numbers game and he appreciated the views that there could be a West to East ward but that had been looked at before and it was not a settled picture. The Leader said that the Council should not do anything that would be at the detriment of an area that would require a future review. He said that he reluctantly took the view that a two Member Ward was the way it had to go but he also shared the concerns expressed during the debate. .

Caution was expressed that the Council should never disengage from the Community and it was important to take cognisance of the problems that may arise in a ward comprising a very large geographical area.

There followed further discussion and concerns were reiterated. The Convener summarised the debate, and in responding to a question on whether it is possible to appeal a Boundary Commission decision, Members were informed that there is

Judicial Review to Court but the Executive Manager – Governance and Law advised that there was further opportunity by not accepting even the status quo and, if requested, the Boundary Commission may be persuaded to carry out a further short consultation.

The Convener said therefore that in addressing the concerns raised there should be a caveat in the response to the Boundary Commission that a short consultation should be carried out after a further iteration is provided by the Boundary Commission.

Decision:

The Council ACCEPTED some of the wards proposed but made alterations in respect of others as follows:

- The status quo remain for Shetland North, North Isles and Lerwick North Wards.
- That Lerwick North Ward be renamed Lerwick North and Bressay Ward.
- That Lerwick South Ward no longer include Gulberwick.
- That Shetland South Ward include Gulberwick and increase to a four Member Ward.
- That Shetland Central Ward become a four Member Ward.
- That Shetland West Ward become a two Member Ward;
- That the response to the Boundary Commission include concerns raised by the Shetland West Ward Members and with the caveat that a further short consultation be sought for the communities affected.

The Council delegated authority to the Executive Manager – Governance & Law to prepare a response, in consultation with the Convener and Leader which embraces the main points of the debate on this report capturing the above decision and any incidental requirements for the Council’s position to be effectively communicated.

The meeting concluded at 11.20am.

.....
Chair