

IMPLEMENTING STV-PR FOR LOCAL GOVERNMENT ELECTIONS IN SCOTLAND

Multi-member wards, electing several councillors together, are essential for any electoral system that is to deliver proportional representation. This Briefing Note addresses issues about the practical implementation of schemes of multi-member wards that have been raised by the Local Government Committee in its consideration of proposals to adopt STV-PR for future local government elections in Scotland.

In his evidence on voting systems, Professor John Curtice drew attention to the importance of the numbers of councillors elected within each ward as the key determinant of proportionality (SP LGC 10 November 1999; 21 May 2002). In his evidence to the Committee (26 November 2002), Professor Bill Miller drew attention to the possibilities of manipulating for party political advantage, both the location of the ward boundaries (“Gerrymandering”) and the numbers of members elected within each ward (“Tullymandering”).

To avoid differing degrees of proportionality and the risk of party bias, Professor Miler stated that the numbers of councillors per ward should be uniform within any one Local Government Area (LGA). In support of his view he said: *“I have heard all the arguments about big constituencies in large geographic areas, but in an age of telephones and e-mail I am no longer terribly impressed by distance”* (COR col 3595). We know from discussions with councillors and others from sparsely populated rural areas, that this view is most definitely not shared by those involved in the day-to-day practicalities of representing such areas effectively.

The Present Situation under FPTP

It should not be assumed that the issues associated with drawing ward boundaries are unique to PR voting systems or to STV-PR in particular. The Local Government Boundary Commission for Scotland (LGBCS) operates under statute and is required to produce schemes which, as nearly as possible, have the effect that a vote in one ward has the same weight as a vote in any other ward within the same LGA. Hence the LGBCS aims for single-member wards within any one LGA that have the same numbers of electors. Despite this statutory requirement there are still enormous disparities within LGAs, let alone between LGAs across Scotland. (Data from 1999 council elections).

LGA	Average Number of Electors per Ward	Smallest Ward		Largest Ward	
		Number of Electors	Difference from LGA Average	Number of Electors	Difference from LGA Average
Argyll & Bute	1,937	704	-64%	2,358	+22%
Highland	2,060	1,443	-30%	2,646	+28%
Glasgow	6,206	4,921	-21%	7,031	+13%

Even with these disparities in numbers of electors among wards in the same LGA, there are very large differences in the areas of the wards. The extreme example is in Highland LGA where the smallest ward area is 75 hectares and the largest is 150,000 hectares (1,500 square kilometres) – a 2000-fold range. There are also large differences in area in much less rural LGAs: for example, in Edinburgh there is a 100-fold range, from 72 hectares to 7,200 hectares. In this latter case, the number of electors per hectare varies from 83 down to 0.82.

Clearly the differences in numbers of electors per councillor among wards within one LGA will introduce bias in favour of the views of the electors in the smaller wards at the expense of the views of the electors in the larger wards. That bias has, however, been tolerated as part of the accepted trade-off between each councillor representing equal numbers of electors and other factors that have a bearing on effective representation.

Professor Curtice, among others, has emphasised that the practical implementation of any scheme of wards for any voting system will always involve such trade-offs. The only way to avoid such problems completely is to elect all the councillors together, ie to treat the whole LGA as one multi-member constituency. While this was the practice for some of the former town and burgh councils in Scotland, it is unlikely to be acceptable for the present unitary authorities comprising 18 to 80 members, even in the city and urban LGAs.

The McIntosh Commission Criteria

The factors involved in any trade-off when devising schemes of wards can usefully be considered in relation to the five criteria set out by the McIntosh Commission to determine the most appropriate PR voting system for local government. These were: proportionality; the councillor-ward link; fair provision for independents; allowance for geographical diversity; and close fit between council wards and natural communities.

The Commission stated: *“The essence of the case for proportional representation is that it produces a result which more fairly represents the spectrum of opinion within the electorate”* (Report para 82). The greater the number of councillors elected together in each multi-member ward, the more representative the council as a whole will be of the community it is elected to serve. That argues for multi-member wards each returning large numbers of councillors. To avoid bias, even when the numbers elected within each ward are not manipulated deliberately to secure party advantage, the large wards should be implemented uniformly across the whole LGA.

However, large wards in areas of low population density will have adverse effects on the links between councillors and their electorates and will bias the system against independent candidates. Although, with STV-PR, the link between the elected councillor and the voters is essentially one mediated by the act of personal choice when the voters mark their preferences on the ballot papers, there remains a geographical element. This will be of concern to electors if the proposed multi-member ward is very extensive, especially if unrelated communities are combined artificially to meet the need for a uniform ward scheme.

The imposition of multi-member wards of a uniform size across an LGA may also make the accommodation of natural communities unnecessarily difficult.

It is thus impossible to satisfy simultaneously all of the criteria to the fullest extent of each. There must be some trade-off. Opinions will differ about how that trade-off should be struck and about the relative weighting that should be given to each criterion in particular local circumstances. The wide acceptance of the disparities in the present scheme of single-member wards indicates that there is much less concern about uniformity of representation than Professor Miller suggested and much more concern about adapting the system to meet local needs.

Flexible Implementation

The Renewing Local Democracy Working Group recommended that that STV-PR should be implemented with 4-member wards, with an upper limit of 5 and a lower limit of 3, except in sparsely populated areas where, exceptionally, the lower limit might be 2 (Kerley Report para 96). It is apparent from discussions with councillors and members of political parties around Scotland that the recommendations for implementing STV-PR in this way have given cause for concern to many who will be directly affected.

Some are concerned that the recommended range of ward sizes would make it difficult to meet the needs of the diverse local communities within their LGAs. Members of the smaller political parties, and members of the larger parties where they have lower levels of local support, are concerned that the implementation of STV with 4-member wards would permanently discriminate against them. In extreme contrast, doubts have been expressed about the practicality of even a 2-member ward in the north-west part of Highland LGA.

When STV-PR was re-introduced for District Council elections in Northern Ireland in 1972, a much more flexible approach was taken (Appendix 1). The implementation of STV-PR for the Scottish Education Authorities in 1919 showed even greater flexibility (Appendix 2). Adopting a similarly flexible approach would address the concerns that have been expressed about the implementation recommended in the Kerley Report.

A flexible approach will be essential where councils want to devise schemes of multi-member wards that reflect a devolved operational structure within the LGA (eg Highland Council; Dumfries & Galloway Council). It will also be essential where a council wishes to recreate a previous burgh structure to which local electors still relate.

Examples from the Scottish Education Authorities are particularly relevant here because of the close parallels between those 38 Authorities and the present 32 unitary Councils. There were wards electing different numbers of representatives in every Authority except three. It is clear that a higher priority was given to meeting the needs of local communities than to ensuring uniform proportionality across the entire Authority. There is no evidence to suggest that electors' priorities today will be any different.

Appendix 1

Implementation of STV-PR for District Councils in Northern Ireland

In devising the schemes of multi-member district electoral areas (DEAs) in Northern Ireland in 1972, full use was made of the flexibility of STV-PR to accommodate the different needs of the 26 District Councils and of the natural communities within them. The Electoral Law (Northern Ireland) Order 1972 (SI 1972 No. 1264 (NI 13)) specified that each local government District should be divided into DEAs constituted by grouping together not less than four and not more than eight single-member wards. The Order further specified that five, six or seven should be regarded as the desirable number of wards in any DEA unless the total number of wards in a District or geographical considerations made another number more suitable for any particular DEA.

The number of seats on the 26 District Councils ranged from 15 to 51 and the number of DEAs within any one of the 26 Districts ranged from two to eight. The table below shows the variety of arrangements adopted to accommodate local needs.

District Councils in Northern Ireland 1973				
Number of Councillors	Number of DEAs within District	Number of District Councils	Number of Seats in each DEA	Number of District Councils
15	2	1	8,7	1
	3	7	7, 4, 4	1
			6, 5, 4	2
			5, 5, 5	4
16	3	2	8, 4, 4	2
17	3	1	7, 6, 4	1
19	3	1	8, 6, 5	1
20	3	2	7, 7, 6	2
	4	4	7, 5, 4, 4	1
			6, 5, 5, 4	1
			5, 5, 5, 5	2
5	1	4, 4, 4, 4	1	
21	4	2	6, 6, 5, 4	1
			6, 5, 5, 5	1
23	4	1	7, 6, 5, 5	1
	5	1	5, 5, 5, 4, 4	1
27	5	1	6, 6, 5, 5, 5	1
30	6	1	7, 6, 5, 4, 4, 4	1
51	8	1	7, 7, 7, 6, 6, 6, 6, 6	1

In addition to varying the numbers of seats within DEAs in the same District, there were also considerable variations in the numbers of electors per seat among DEAs in the same District. Outwith Belfast District, the average number of electors per councillor was 1,613, varying from 593 in Moyle to 2,285 in Castleragh. The variation in number of electors per seat between DEAs in the same District was less than 10% in nine Districts, between 11% and 20% in 11 Districts and 21% or more in six Districts. The smallest such variation was from -2% (1,283) to +1% (1,326) in Omagh and the largest was from -19% (1,803) to +23% (2,723) in Lisburn.

These variations reflect the practicalities of giving effective representation to electors distributed among towns and villages of various sizes and more sparsely populated rural areas within the variety of Districts in Northern Ireland.

Appendix 2

Implementation of STV-PR for the Scottish Education Authorities

The Single Transferable Vote system of Proportional Representation was used in Scotland to elect the members of the Education Authorities set up under the Education (Scotland) Act 1918 to replace School Boards. The initial proposal to transfer responsibility for education to the otherwise all-purpose Local Authorities, ie the then county and burgh councils, was dropped in the face of concerted public opposition. STV-PR was adopted because it was realised that the new Authorities would not succeed unless the various majority and minority interests involved in education were all fairly represented.

The 1918 Act created 38 separate Authorities based on 33 Counties and five Burghs. The 38 Authorities had a total of 987 members who were to be elected by STV from multi-member 'electoral divisions'. The table immediately below lists the Authorities as they were constituted after the first elections in 1919. There were some changes to this structure for the subsequent elections (1922, 1925, 1928), notably when the Burgh of Leith and parts of the County of Edinburgh were absorbed into the Burgh of Edinburgh in 1921; the enlarged Authority had 34 members. (The County of Edinburgh was then redesignated Midlothian and the County of Linlithgow became Westlothian.)

The pattern of implementation was unique to each Authority. All but two of the Education Authority areas were divided. The number of electoral divisions within each of the other 36 Authorities ranged from two to nine (see summary table, second below). The numbers of members elected from each of the 173 electoral divisions ranged from 3 to 10. Orkney Authority had both 10-member and 3-member divisions. Fife Authority had the most diverse arrangement, with seven electoral divisions of six different sizes: 10, 9, 9, 8, 5, 4, 3.

There was also great diversity in the relationship between the numbers of members and the population within the areas served by each Authority. (The official lists give the populations from the 1911 Census rather than numbers of electors.) The smallest population was 7,654 (Kinross) and the largest 1,009,359 (Glasgow). The smallest population per elected member was 809 (Orkney), and the largest was 22,430 (Glasgow).

Full use was made of the flexibility of STV-PR to avoid division of local communities. For example, in the Ross and Cromarty Authority, the Black Isle formed a 6-member division, while the island of Lewis was a 10-member division. The Wigtown Authority comprised two divisions: the Machars with seven members and the Rhins with ten.

Scottish Education Authorities as at 1919 Election										
Education Authority	Total Number of Members	Total Number of Divisions	Divisions Classified by Number of Members in each							
			10	9	8	7	6	5	4	3
Burghs										
Aberdeen	21	3				3				
Dundee	22	4				1		2		1
Edinburgh	23	5							4	1
Glasgow	45	7		1		1		4	1	
Leith	14	3							2	1
Counties										
Aberdeen	46	9			1	1	1	1		5
Argyll	35	7				1	2	1		2
Ayr	42	7				3	2	1		1
Banff	30	5				2	1	2		
Berwick	16	3						2		1
Bute	12	3							1	1
Caithness	18	3				1	1	1		
Clackmannan	15	2		1			1			
Dumbarton	26	5			1	1				2
Dumfries	23	5				1		1		2
Edinburgh	29	5			1	1	1	1		1
Fife	44	7		1	2	1			1	1
Forfar	33	7					1	3		3
Haddington	17	3				1	1			1
Inverness	41	9			1		1	1		4
Kincardine	20	4						2		2
Kinross	9	1		1						
Kirkcudbright	22	4		1		1				2
Lanark	49	9			1		3	4		1
Linlithgow	22	3		1		1	1			
Moray	21	5					1			3
Nairn	10	1	1							
Orkney	32	5	1	1		1				2
Peebles	11	3								2
Perth	34	6		1				5		
Renfrew	35	4	1	2		1				
Ross & Cromarty	37	6	1			1	2			2
Roxburgh	25	5			1			1		3
Selkirk	17	3		1						2
Shetland	24	3		2			1			
Stirling	33	5			2	1	1			1
Sutherland	17	2		1	1					
Wigtown	17	2	1			1				
Totals	987	173	5	14	11	25	31	31	39	17

Scottish Education Authorities as at 1919 Election			
Number of Divisions within Authority	Number of Authorities	Number of Members in Authority	Number of Seats in each Division
1	2	9	9
		10	10
2	3	15	9, 6
		17	9, 8
			10, 7
3	10	11	4, 4, 3
		12	5, 4, 3
		14	5, 5, 4
		16	6, 6, 4
		17	7, 6, 4
			9, 4, 4
		18	7, 6, 5
		21	7, 7, 7
		22	9, 7, 6
		24	9, 9, 6
4	4	20	6, 6, 4, 4
		22	7, 6, 6, 3
			9, 7, 3, 3
		35	10, 9, 9, 7
5	9	21	6, 4, 4, 4, 3
		23	5, 5, 5, 5, 3
			7, 5, 4, 4, 3
		25	8, 5, 4, 4, 4
		26	8, 7, 4, 4, 1
		29	8, 7, 6, 5, 3
		30	7, 7, 6, 5, 5
		32	10, 9, 7, 3, 3
6	2	33	8, 8, 7, 6, 4
		34	9, 5, 5, 5, 5, 5
7	5	37	10, 7, 6, 6, 4, 4
		33	6, 5, 5, 5, 4, 4, 4
		35	7, 6, 6, 5, 4, 4, 3
		42	7, 7, 7, 6, 6, 5, 4
		44	10, 9, 9, 8, 5, 4, 3
9	3	45	9, 7, 6, 6, 6, 6, 5
		41	8, 6, 5, 4, 4, 4, 4, 3, 3
		46	8, 7, 6, 5, 4, 4, 4, 4, 4
		49	8, 6, 6, 6, 5, 5, 5, 5, 3

There were four STV-PR elections: in 1919, 1922, 1925 and 1928. The number of candidates varied from 1,897 in 1919 to 1,356 in 1928. The average electorate during this period was just under two million and the average turnout was 38%, ranging from 29% in 1919 to 44% in 1922. These turnouts compare favourably with more recent local government elections in Scotland, particularly as these STV-PR elections were for special purpose Authorities dealing only with school education.

It is clear from the results sheets published at the time that the system did not present any special problems for the electors. Despite using the X-vote (FPTP) in other local elections and in parliamentary elections, and having used the cumulative vote in the previous School Board elections, voters were well able to adapt to the use of STV for the Education Authorities and to exercise the greater freedom of choice it provided. Representation of the various groups that contested the elections was in broad proportion to their support among the voters within each division and Authority.

The use of STV-PR helped to produce stable and harmonious Education Authorities and to ensure the smooth transition of the administration of education from nearly a thousand School Boards at parish level to the much smaller number of new Authorities at the larger scale of the County and County Burgh. This use of STV ceased when responsibility for school education was transferred in 1929 from the *ad hoc* Education Authorities to the all-purpose Local Authorities.