

REPORT TO: DUNDEE CITY COUNCIL - 23 FEBRUARY 2009

REPORT ON: LOCAL GOVERNMENT BOUNDARY REVIEW - FITHIEBANK

REPORT BY: DEPUTE CHIEF EXECUTIVE (SUPPORT SERVICES)

REPORT NO: 82-2009

1.0 PURPOSE OF REPORT

- 1.1 To advise Members of initial proposals by the Local Government Boundary Commission for Scotland (LGBCS) relative to the Fithiebank Area.

2.0 RECOMMENDATIONS

- 2.1 It is recommended that the LGBCS be advised that the Council is content with their initial proposals subject to the description of the boundary between Dundee City Council and Angus Council in that area being amended to read:-

"The resulting boundary would follow the centre of the Fithie Burn water feature to Grid Reference (345200,733900) before turning southeast and joining the existing boundary that runs northeast along the centre of Kellas Road to the boundary".

3.0 FINANCIAL IMPLICATIONS

- 3.1 There are no financial implications.

4.0 MAIN TEXT

- 4.1 Reference is made to Article (IV)(a) and (b) of meeting of the Policy and Resources Committee of 19th June 2000, wherein it was agreed that the LGBCS be requested to carry out a review of the boundary between Dundee City Council and Angus Council at Baldovan and Ballumbie, incorporating Fithiebank which had not yet been developed and in this regard a copy of a letter dated 5th January 2009 from LGBCS together with maps is attached.
- 4.2 Members will note that the Commission's initial proposal is to alter the boundary between Dundee City Council and Angus Council thereby making the entire Fithiebank development fall within the Dundee City Council area.
- 4.3 Officers of the Council have examined the proposal and are content with it.
- 4.4 The only comment is a technical comment regarding the description of the line of the boundary which it is suggested should read as follows:-

"The resulting boundary would follow the centre of the Fithie Burn water feature to Grid Reference (345200,733900) before turning southeast and joining the existing boundary that runs northeast along the centre of Kellas Road to the boundary".

5.0 POLICY IMPLICATIONS

- 5.1 This report has been screened for any policy implications in respect of Sustainability, Strategic Environmental Assessment, Anti-Poverty, Equality Impact Assessment and Risk Management and there are no major implications.

6.0 CONSULTATION

- 6.1 The Chief Executive, Depute Chief Executive (Support Services), Depute Chief Executive (Finance), Head of Finance and the Director of Planning and Transportation have been consulted on this report and are in agreement with its contents.

7.0 BACKGROUND PAPERS

7.1 Letter from Local Government Boundary Commission for Scotland dated 5th January 2009.

**PATRICIA McILQUHAM
DEPUTE CHIEF EXECUTIVE (SUPPORT SERVICES)**

21ST JANUARY 2009



Local Government Boundary Commission for Scotland

3 Drumsheugh Gardens, Edinburgh EH3 7QJ

Chairman: Peter Mackay CB
Secretary: Dr Hugh Buchanan MRICS

Mr Alex Stephen
Chief Executive
Dundee City Council
City Chambers
21 City Square
Dundee
DD1 3BY

5 January 2009

Dear Mr Stephen,

Review of local government area boundary: Fithiebank – Dundee City/ Angus

In June 2000 the Commission received a request for a review of the administrative boundary at Baldovan and Ballumbie (incorporating Fithiebank, which had not been developed yet) from Dundee City Council. At that time, the Commission concluded that a review could not be reasonably justified on the basis that the Commission could not consider requests for change potentially affecting more than 50 electors.

Scottish Ministers issued a further Ministerial Direction in March 2008 enabling the Local Government Boundary Commission for Scotland to conduct reviews of local authority areas that would affect no more than 300 electors. Commissioners have therefore instructed the Secretariat to proceed with a review of the Fithiebank area. An outline of the main stages of the review can be found at Appendix A. A review can take up to 40 weeks to complete.

Section 18(2)(aa) of the Local Government (Scotland) Act 1973 requires the Commission to inform the Council of any local government area affected by the review, at least two months before taking any steps to inform other persons, of any draft proposals or interim decision not to make proposals. The purpose of this letter is therefore to provide your Council with details of the Commission's initial proposal and invite comment by 5 March 2009.

The map at Appendix B shows the current location of the administrative boundary and the Commission's initial proposal.

In developing its initial proposal, the Commission has concluded that the general principles of having the whole of a development contained within a single local authority area and having a development within the authority from which the most convenient access is gained are likely to be usefully applied.

The initial proposal would transfer the entire Fithiebank development into the Dundee City Council area. The resulting boundary would follow the centre of the

established by Parliament to advise Ministers on local government boundaries

tel: 0131 538 7510

email: secretariat@scottishboundaries.gov.uk
web: www.lgbc-scotland.gov.uk

fax: 0131 538 7511

Fithie Burn water feature before joining the existing boundary that runs north along the centre of Kellas Road.

The table at Appendix C shows the number of electors (at December 2007) in the area affected and the consequential alterations to the electorate in North East ward.

Following receipt of any comments from Councils within the required timescale, the Commission will review its initial proposal, and amend it if necessary, before publishing its provisional proposals for public consultation.

The Commission is required by the legislation to deposit copies of its provisional proposals at the offices of the Council of any local government area which is affected by the proposals. The Commission also endeavours to take other measures in order to make its proposals widely known and accessible to the public. I should therefore be grateful if you could provide the Commission with the following information as soon as possible:

- contact details (name, full address and email address) of any Community Council with an interest in the area concerned;
- the names of local newspapers for the purpose of placing public notices; and
- the location of premises where maps and other information on the proposals might be publicly displayed during the public consultation period.

I am writing in similar terms to the Chief Executive of Angus Council. Any queries regarding this letter should be addressed to myself at the above address, by email to laura.cregan@scottishboundaries.gov.uk or by telephone on 0131 538 7517.

Yours sincerely

Laura Cregan
Casework Manager

Appendix A

Process for a review

The steps for a review are set out in the Local Government (Scotland) Act 1973 as amended, and can be summarised as follows.

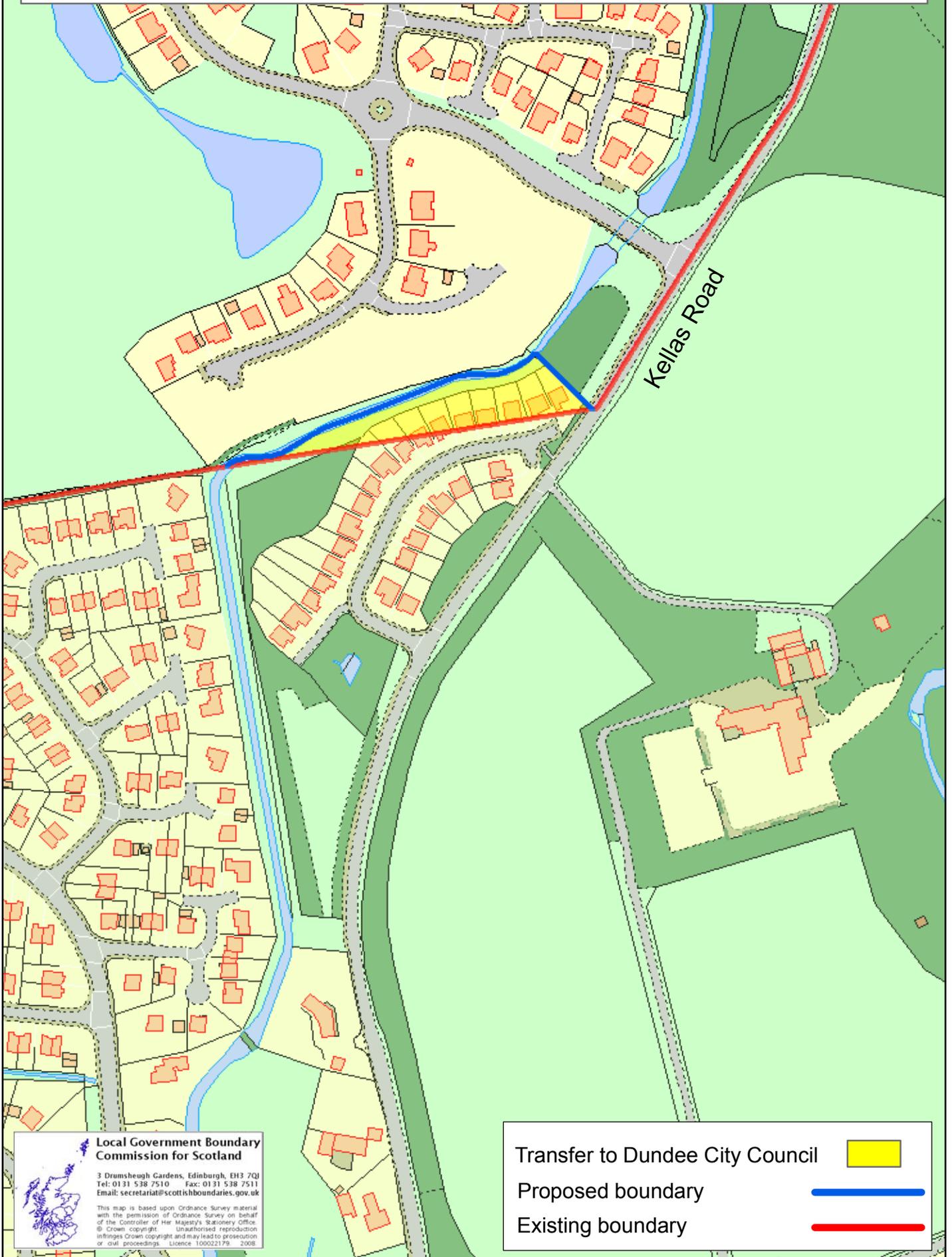
1. Stage 1: the Secretariat:
 - identifies area for review;
 - plots any suggested boundaries contained in request;
 - determines that the request complies with legislation and Ministerial Direction;
 - conducts a site visit to identify visible ground features for suggested boundaries;
 - determines the electorate numbers in affected area.
2. Stage 2: the Commission:
 - considers the Secretariat's discussion paper with options for boundary alignment;
 - takes a decision whether to proceed with formal review;
 - selects a preferred option
3. Stage 3: discussion with council of local authorities.
 - Secretariat informs affected local authorities of Commission's proposal
 - Local authorities can make representations (over two months)
 - Commission revises proposal as required
 - Secretariat writes to Chief Executives of local authorities to determine display points and newspapers
 - Commission publishes provisional proposal for public consultation (12 weeks)
4. Stage 4: the Secretariat:
 - summarises representations received
 - prepares paper for Commission with recommendation
 - Commission decides whether to hold local inquiry
5. Stage 5: the Commission:
 - revises proposal as required
 - drafts and agrees report to Scottish Ministers
 - publishes report (by public notice, distribution to local authorities and other interested parties, public display)
 - submits report to Scottish Ministers
 - Scottish Ministers decide whether to implement recommendations (after 6 weeks)

Local Government Boundary Commission for Scotland

Review of the administrative boundary between Dundee City and Angus Councils at Fithiebank

Initial Proposals

Appendix B



Local Government Boundary Commission for Scotland

3 Drumshugh Gardens, Edinburgh, EH3 7QJ
Tel: 0131 538 7510 Fax: 0131 538 7511
Email: secretariat@scottishboundaries.gov.uk

This map is based upon Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office. © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Licence 10002179 - 2008

Transfer to Dundee City Council



Proposed boundary



Existing boundary



Appendix C

Consequential alterations to electoral ward 6 (North East) of Dundee City and electoral ward 4 (Monifieth & Sidlaw) of Angus Council

council	electoral ward	proposed alteration	electorate at December 2007		
			before alteration	electors affected	after alteration
Dundee City	6 North East	the shaded area shown on the map of initial proposals shall be added to this ward	10,993	+14	11,007
Angus	4 Monifieth & Sidlaw	the shaded area shown on the map of initial proposals shall be removed from this ward	12,816	-14	12,802