



Information Paper

The Commission - a general guide

Boundaries Scotland  
Thistle House  
91 Haymarket Terrace  
Edinburgh  
EH12 5HD

[www.boundaries.scot](http://www.boundaries.scot)

Telephone: 0131 244 2001  
Email: [boundaries.scot@scottishboundaries.gov.uk](mailto:boundaries.scot@scottishboundaries.gov.uk)



## About the Commission

Boundaries Scotland, formerly Local Government Boundary Commission for Scotland, is an independent body which is responsible for reviewing and making recommendations for:

- constituencies and regions for the Scottish Parliament;
- the number of councillors on each council in a local government area;
- the number of wards for local government elections and their boundaries; and
- the extent of council areas.

We are an advisory Non-departmental Public Body (NDPB) which is appointed, sponsored and financed by the Scottish Government. We were established under the Local Government (Scotland) Act 1973, which also defines our constitution and procedures (in Part II and Schedules 4 and 6 of the Act).

Under the terms of s.8 of the Scotland Act 2016, responsibility for reviews of Scottish Parliament boundaries passed from the Boundary Commission for Scotland to the Local Government Boundary Commission for Scotland with effect from 18 May 2017. Section 28 of the Scottish Elections (Reform) Act 2020 renamed the Local Government Boundary Commission for Scotland as Boundaries Scotland and came into force on 14 May 2021.

We are responsible only for local government boundaries in Scotland: there are similar Commissions responsible for local government boundaries in England, Wales and Northern Ireland.

The parliamentary Boundary Commission for Scotland is responsible for the boundaries of UK Parliament constituencies in Scotland, and there are corresponding bodies in England, Wales and Northern Ireland.

## Membership

Our membership comprises a Chair, a Deputy Chair, and up to 4 further Commissioners. Appointments are made by Scottish Ministers, following procedures approved by the Commissioner for Ethical Standards in Public Life in Scotland. These appointments are usually for a period of 3 or 4 years, with the possibility of renewal, and attract a daily fee, plus reimbursement of expenses. Vacant posts are advertised in the national press and are subject to a process of selection and interview by a panel including the Chair and a representative of the Scottish Government.

Commissioners must be politically neutral. Many of them have knowledge and understanding of local government. Since 1973 the Deputy Chair has always been someone who has served at a senior level in local government.

A list of our past and present members appears at Appendix A.

## Secretariat

We are supported by a small Secretariat staffed by civil servants. Contact details are given at the beginning of this document.

*The Commission - a general guide*

The Secretariat also provides support to the parliamentary Boundary Commission for Scotland.

## Our work

Our work comprises the following, each of which are explained in more detail below:

- electoral reviews which result in recommendations on the number of councillors on the council of each local government area, electoral wards used for their election, and the boundaries of those wards; and
- administrative area reviews which result in recommendations on the extent of council areas.
- reviews of Scottish Parliament constituencies and regions

A chronology of key dates relating to the work of the Commission is as follows:

- |         |   |
|---------|---|
| 1973    | Local Government (Scotland) Act 1973 establishes our responsibility for electoral reviews and administrative area reviews, and a Region, District and Islands Area structure of local government. |
| 1975    | first elections to Region, District and Islands Area councils.  |
| 1976-81 | initial set of electoral reviews, covering all Region, District and Islands Area councils.  |
| 1991-94 | second set of electoral reviews, covering all Region, District and Islands Area councils.   |
| 1994    | Local Government etc (Scotland) Act 1994 establishes structure of 32 unitary local government areas.  |
| 1995    | councils for 32 unitary local government areas first elected.   |
| 1997-98 | third set of electoral reviews, covering all local government areas.  |
| 2004    | Local Governance (Scotland) Act 2004 requires multi-member wards, each with either 3 or 4 members elected by the Single Transferable Vote form of proportional representation.                    |
| 2004-06 | fourth set of electoral reviews, covering all local government areas, and defining multi-member wards.  |
| 2007    | first elections using multi-member wards.   |
| 2014-16 | fifth set of electoral reviews, covering all local government areas.  |
| 2019-21 | islands reviews following introduction of Islands (Scotland) Act 2018. The Act instructed us to conduct a review of council areas with inhabited islands.   |

Our conduct of a review, and the rules which we have to apply when designing boundaries, is governed by the legislation. In addition, Scottish Ministers have the power to instruct us on how and when we should conduct reviews, using a **Ministerial Direction**.

There are some principles which are common to all reviews which we carry out:

- we operate independently of all political parties;
- we do not take account of past election results, or anticipate those in the future;

- the legislation requires us to consider the number of registered electors, rather than total population; and
- our proposals are subject to public consultation to allow anyone with an interest to express support or opposition.

We publish guidance on our approach to reviews to aid understanding, and to encourage participation in the process.

## Electoral reviews

The law requires us to carry out a review of the **electoral arrangements** for all local government areas on a periodic basis. Currently, the required interval between such reviews is up to 15 years. The term **electoral arrangements** is defined as being the number of councillors on each council, the number of wards that a council area is divided into, and the boundaries of those electoral wards.

An important requirement of the legislation is that each councillor on a council must represent approximately the same number of electors as every other councillor on that council: this is termed **electoral parity**. The ratio of councillors to electors may vary between councils, and in the past we have varied the ratio across 5 or 7 different categories of council defined by population density and distribution and socio-economic factors.

Since being established in 1973, we have conducted 5 sets of all Scotland electoral reviews, which are summarised in Figure 1.

In addition to the electoral areas resulting from our reviews, on both occasions when a new structure of local government has been formed by legislation (in 1973 and in 1994) Ministers defined a set of electoral areas to be used for elections until we had completed our reviews of the new local government areas.

In addition to our full electoral reviews, we have also conducted a number of interim electoral reviews in cases where the distribution of electorate within a council area has changed to such an extent from the previous review that the wards no longer provide an acceptable level of electoral parity.

More information and documentation on our electoral reviews is available on our website.

Review	Date of reports	Number of electoral areas	Councillors	Used in elections
Island Reviews	2021	355	1,226	2022
Fifth Reviews	2016	354	1,227	2017
Fourth Reviews (introducing multi-member wards)	2006	353*	1,222 <sup>1</sup>	2007, 2012
Third Reviews	1997 to 1998	1,222	1,222	1999, 2003
Second Reviews	1991 to 1994	453 Region 1,214 District 84 Islands Area	453 1,214 84	1994 - 1994
Initial Reviews	1976 to 1981	441 <sup>2</sup> Region 1,155 <sup>3</sup> District 79 Islands Area	441 <sup>2</sup> 1,155 <sup>3</sup> 79	1982 to 1990 1980 to 1992 1978 to 1990

Figure 1: electoral reviews

<sup>1</sup> Increased to 1,223 from 2012

<sup>2</sup> Increased to 445 from 1986

<sup>3</sup> Later increased to 1,158

*The Commission - a general guide*


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*\* In 2011 we recommended an additional Councillor in West Lothian council area.*

## Administrative area reviews

Since our establishment, legislation has required us to undertake administrative area reviews of all council areas in Scotland. However, in accordance with ministerial directions, we have never carried out a comprehensive set of administrative area reviews of that sort. The new council areas which came into existence in 1995 resulted from legislation prepared by the government of the day, not by us.

Instead, each of our administrative area reviews has focussed on a localised area. In the period 1975 to 1976, the Secretary of State directed us to conduct a series of 10 administrative area reviews of localities which had attracted attention during the establishment of the Region and District local government areas in the Local Government (Scotland) Act 1973.

In the period 1982 to 1992, after completing our initial set of electoral reviews, we conducted a total of 64 administrative area reviews which arose from a variety of local circumstances.

Since the establishment of the current 32 local government areas in Scotland in 1995 by the Local Government etc (Scotland) Act 1994, we have conducted nine administrative area reviews (Cardowan (2018, 2009), Keltybridge (2015), Robroyston (2010), Fithiebank (2009), Ardoch (2010), Blackburn (2010), Braehead (2010), West Farm, Broxburn (2010). Most of these have taken place in cases where development has taken place across a local government area boundary, resulting in individual houses or commercial premises being partly in one council area and partly in another.

Dates	Number of reviews
1975 to 1976	10
1982 to 1992	64
1995 onwards	9

Figure 2: administrative area reviews

More information and documentation on our administrative area reviews is available on our website, and in our other Information Papers.

## Scottish Parliament constituencies and regions

The legislation governing Scottish Parliament reviews is Schedule 1 to the Scotland Act 1998. Under the terms of s.8 of the Scotland Act 2016, responsibility for reviews of Scottish Parliament boundaries passed from the Boundary Commission for Scotland to Boundaries Scotland with effect from 18 May 2017.

The Boundary Commission for Scotland (BCS) conducted the first general review of Scottish Parliament boundaries, which reported in May 2010. The recommendations for constituencies and regions from that review were implemented from the Scottish Parliament election on 5 May 2011.

In addition to the full review, two Interim Reviews have been conducted (Cardowan and Robroyston) where local authority boundaries had been amended, and as a consequence Scottish Parliament constituency boundaries were no longer aligned with local authority boundaries.

The Scottish Parliament constituencies between 1999 and 2011 were the UK Parliament constituencies in existence when the modern Scottish Parliament was created in 1999 (with one exception in Orkney and Shetland). The Scottish Parliament regions between 1999 and 2011 were the European Parliament constituencies in existence in 1999.

## Communication and information

We put considerable effort into communicating our work, and we wish to encourage wide public participation in consultation on our proposals.

One of the main means of communication is our website. We update the website with all information which we publish.

During a review, we publish our proposals for public consultation. These are made available through public libraries and council offices, and also on our social media channels and website, where there is also a facility to submit views on those proposals.

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## Appendix A - Membership of the Commission

### Chair

Mr Ronnie Hinds	2013 onwards
Mr Peter Mackay	2007 - 2013
Mr John Marjoribanks	2000 - 2007
The Hon Lord Osborne (Kenneth Osborne)	1990 - 2000
Mr Ronald Bennett QC	1974 - 1990

### Deputy Chair

Professor Ailsa Henderson	2017 onwards
Mr William Magee	2008 - 2016
Mr Brian Wilson	1999 - 2008
Mr Kenneth Clark	1995 - 1999
Mr Frederick Marks	1989 - 1995
Mr George Carlton	1985 - 1988
Mr Andrew Evans	1980 - 1985
Mr Ian Paterson	1974 - 1980

### Commissioners

Mr Jon Collins	2019 onwards
Mr Gordon Macmillan	2018 onwards
Mr Roland Bean	2013 onwards
Dr Susan Walker	2013 onwards
Professor Ailsa Henderson	2013 - 2017 then Deputy Chair
Mrs Paula Sharp	2007 - 2013
Professor Brian Clark	2007 - 2013
Mr Kenneth McDonald	2004 - 2012
Mr Richard Millham	2004 - 2008
Dr I Ann Glen	1999 - 2007
Professor Hugh Begg	1999 - 2007
Mrs Gillian Silver	1995 - 1999
Dr Elspeth Graham	1994 - 2004
Professor Susan Smith	1993 - 1994
Professor James Caird	1985 - 1993
Mr Adam Napier	1985 - 1994
Mr Stuart McDowall	1982 - 1999
Mr George Carlton	1980 - 1988 latterly as Deputy Chair
Mr Andrew Evans	1979 - 1985 latterly as Deputy Chair
Professor Alan Thompson	1976 - 1982
Mr Ian Hamilton	1975 - 1978
Mr Ames Imrie	1974 - 1975
Miss Jean Forbes	1974 - 1985