

**Local Government  
Boundary Commission for Scotland**

**Information Paper**

**The Commission - a general guide**

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This is one of a series of Information Papers and Quick Guides from the Local Government Boundary Commission for Scotland. The series currently comprises the following titles:

### **Information Papers**

- The Commission - a general guide
- Electoral reviews: guidance
- Local government area boundaries in Scotland: 1995 onwards
- Local government electoral arrangements in Scotland: 1995 onwards
- Emergency service and Health Board boundaries in Scotland
  
- Local government area boundaries in Scotland: 1974-1996
- Local government electoral arrangements in Scotland: 1974-1996

### **Quick Guides**

- Electoral reviews
- Local government in Scotland

Publications in the series are available from the **Publications** section of the Commission's website: [www.lgbc-scotland.gov.uk](http://www.lgbc-scotland.gov.uk) . Any enquiries regarding this publication should be sent to us at the contact details on the cover.

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## **1 About the Commission**

1.1 The Local Government Boundary Commission for Scotland is an independent body which is responsible for reviewing and making recommendations for:

- the number of councillors in each local authority;
- the number of wards for local government elections and their boundaries;
- the extent of council areas; and
- boundaries of wards for Health Board elections.

We are an advisory Non-departmental Public Body (NDPB) which is appointed, sponsored and financed by the Scottish Government.

1.2 We were established under the Local Government (Scotland) Act 1973, which also defines our constitution and procedures (see Part II and Schedules 4 and 6).

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

1.4 We are not responsible for boundaries of UK Parliament constituencies in Scotland or Scottish Parliament boundaries. The parliamentary Boundary Commission for Scotland is responsible for those boundaries, and there are corresponding bodies in England, Wales and Northern Ireland.

1.5 After completing a review, we submit a report to Scottish Ministers containing our recommendations. Scottish Ministers are responsible for deciding whether and how to implement our recommendations, and submitting any necessary secondary legislation for approval by the Scottish Parliament.

## **2 Membership**

2.1 Our membership comprises a Chairman, a Deputy Chairman, and up to 4 further Commissioners. Appointments are made by Scottish Ministers, following procedures approved by the Commissioner for Public Appointments 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 expenses. Vacant posts are advertised in the national press and are subject to a process of selection and interview by a panel including the Chairman, a representative of the Scottish Government and a representative of the Commissioner for Public Appointments in Scotland.

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

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

### 3 Secretariat

- 3.1 We are supported by a small Secretariat staffed by civil servants. Contact details are given at the beginning of this document.
- 3.2 The Secretariat also provides support to the parliamentary Boundary Commission for Scotland, and this is paid for by the Scotland Office from monies voted by the United Kingdom parliament.

### 4 Our work

- 4.1 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 in each local authority, electoral wards used for their election, and the boundaries of those wards;
- administrative area reviews which result in recommendations on the extent of council areas; and
- Health Board reviews which result in recommendations on the boundaries of wards used in direct elections to Health Boards.

- 4.2 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 authorities.
- 1995 councils for 32 unitary local authorities first elected.
- 1997-98 third set of electoral reviews, covering all unitary local authorities.
- 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 unitary local authorities, and defining multi-member wards.
- 2007 first elections using multi-member wards.
- 2009 National Health Service (Scotland) Act 1978 amended to give us responsibility for Health Board reviews.

- 4.3 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*.

- 4.4 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;
  - our proposals are subject to public consultation to allow anyone with an interest to express support or opposition; and
  - we aim for a consistent application of the rules, prescribed in schedule 6 of the 1973 Act and any Ministerial direction, while reflecting local circumstances in each area.
- 4.5 We publish guidance on our approach to reviews to aid understanding, and to encourage participation in the process.

## 5 Electoral reviews

- 5.1 The law requires us to carry out a review of the *electoral arrangements* for all local authorities on a periodic basis. Currently, the required interval between such reviews is 8 to 12 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.
- 5.2 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*. But that ratio may vary between councils, and in the past we have varied the ratio across 7 different categories of council defined by population density and distribution.
- 5.3 There are some matters relating to the arrangements for elections which we do not have any power to alter. Examples are that each ward elects 3 or 4 councillors to serve on the council, and that the electoral system uses the Single Transferrable Vote form of proportional representation.
- 5.4 The most recent electoral reviews in Scotland were our Fourth Reviews which took place between 2004 and 2006. The wards resulting from those reviews were used for local government elections in May 2007.
- 5.5 Since being established in 1973, we have conducted 4 sets of electoral reviews, which are summarised in Figure 1.
- 5.6 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 the elections until we had completed our reviews of the new local government areas.

Review	Date of reports	Number of electoral areas	Councillors	Used in elections
Fourth Reviews (introducing multi-member wards)	2006	353	1222	2007, 2012
Third Reviews	1997 to 1998	1222	1222	1999, 2003
Second Reviews	1991 to 1994	453 Region 1214 District 84 Islands Area	453 1214 84	1994
Initial Reviews	1976 to 1981	441 Region 1155 District 79 Islands Area	441 1155 79	1978 to 1992

**Figure 1: electoral reviews**

5.7 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.

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

## 6 Administrative area reviews

6.1 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.

6.2 Instead, each of our 81 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 authorities in the Local Government (Scotland) Act 1973.

6.3 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.

6.4 Since the establishment of the current 32 local authorities in Scotland in 1995 by the Local Government etc (Scotland) Act 1994, we have conducted 7 administrative area reviews. Most of these have taken place in cases where development has taken place across a local authority 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	7

**Figure 2: administrative area reviews**

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

## **7 Health Board reviews**

7.1 Schedule 1A to the National Health Service (Scotland) Act 1978 was added by the Health Boards (Membership and Elections) (Scotland) Act 2009, and gives us responsibility for advising Scottish Ministers on wards for direct elections to Health Boards if the health board area is to be divided into multiple wards for the election.

7.2 Pilot direct elections were held for certain health boards in 2010. The pilots each used a single electoral ward, and so we have not undertaken any health board reviews.

## **8 Communication and information**

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

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

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

8.4 We have a Facebook page which allows Facebook users to follow our activities.

8.5 We publish Information Papers, including this one, which summarise key aspects of our work. The Information Papers are available to download free of charge from the **Publications** section of our website. Paper copies are available on request. There is a complete list of our Information Papers on the inside front cover of this paper.

## Appendix A – Membership of the Commission

### Chairmen

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

### Deputy Chairmen

Mr William Magee	2008 onwards
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

Mrs Paula Sharp	2007 onwards
Professor Brian Clark	2007 onwards
Mr Kenneth McDonald	2004 onwards
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 Chairman
Mr Andrew Evans	1979 - 1985 latterly as Deputy Chairman
Professor Alan Thompson	1976 - 1982
Mr Ian Hamilton	1975 - 1978
Mr Ames Imrie	1974 - 1975
Miss Jean Forbes	1974 - 1985