

**ANGUS COUNCIL**

**SPECIAL SUB COMMITTEE OF POLICY & RESOURCES COMMITTEE – 6 JUNE 2023**

**SECOND REVIEW OF SCOTTISH PARLIAMENT BOUNDARIES**

**REPORT BY MARGO WILLIAMSON, CHIEF EXECUTIVE**

**ABSTRACT**

The purpose of this report is to advise members of the Sub Committee of the publication of Boundaries Scotland provisional proposals for the review of Scottish Parliament constituencies on 17 May 2023.

**1. RECOMMENDATIONS**

It is recommended that the Sub-Committee:

- (i) Note that the consultation on these initial proposals runs until 17 June 2023;
- (ii) Note that these proposals are not recommending any changes to the current Scottish Parliament constituency boundaries of Angus North and Mearns and Angus South;
- (iii) Agree any representation regarding the provisional proposals, if required;
- (iv) Authorise the Chief Executive to prepare any required draft response to Boundaries Scotland in light of the Sub Committee's discussions.

**2. ALIGNMENT TO THE COUNCIL PLAN**

**Caring for our place:** Enable inclusive, empowered, resilient and safe communities across Angus.

**3. BACKGROUND**

- 3.1 Boundaries Scotland is an independent, non-political body responsible for carrying out reviews of Scottish Parliament boundaries. The first review of Scottish Parliament boundaries was completed in 2010 and the current boundaries have been in place and used in elections since 2011.
- 3.2 This review is required by the Scotland Act 1998 and a report containing Boundaries Scotland final recommendations is due to be submitted to Scottish Ministers by 1 May 2025.
- 3.3 Boundaries Scotland published their initial proposals for the Second Review of Scottish Parliament Boundaries on 17 May 2023. There are 73 constituencies for the Scottish Parliament, each constituency returning a single member (MSP) and eight regions which elect 7 list MSP's. This review will not change the current number of constituencies and regions nor the number of MSP's.

**4. CURRENT POSITION**

- 4.1 In the provisional proposals for new Scottish Parliament constituencies, 21 constituencies are unchanged, one constituency retains its boundary but with a new name, 26 constituencies have minor changes to boundaries but retain their existing names and 25 constituencies have both new names and new boundaries. A table outlining these proposals are contained in Appendix 1.

- 4.2 Boundaries Scotland initial proposals for the two constituencies covering the Angus local government area (Angus North and Mearns and Angus South) retain the current constituency boundaries unchanged. See maps Appendices 2 & 3.
- 4.3 Full details of the provisional proposals for all other Scottish Parliament constituency boundaries can be found at <https://consult.boundaries.scot>.
- 4.4 The consultation period runs until 17 June 2023 and Boundaries Scotland are inviting comments from all interested parties on these proposals.

## 5. FINANCIAL IMPLICATIONS

There are no financial implications arising from this Report.

## 6. EQUALITY IMPACT ASSESSMENT

An Equality Impact Assessment has been carried out and only a screening EIA is required which is contained in Appendix 5.

**NOTE:** No background papers, as detailed by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to a material extent in preparing the above report.

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## Provisional Proposals for Constituencies

Constituency Name	Electorate	Area (sq. km)	Designation	Changes from existing
Aberdeen Central	55,994	26	Burgh	U
Aberdeen Donside	62,531	92	County	U
Aberdeen South and North Kincardine	61,544	197	County	U
Aberdeenshire East	60,667	1,278	County	B
Aberdeenshire West	59,983	3,532	County	U
Airdrie, Newmains and Shotts	66,243	223	County	BN
Angus North and Mearns	55,006	1,427	County	U
Angus South	58,622	1,319	County	U
Argyll and Bute	55,737	7,096	County	B
Ayr	62,566	49	Burgh	U
Banff and Buchan Coast	61,992	1,076	County	BN
Bathgate and Almond Valley	61,257	189	County	BN
Bearsden, Milngavie and Clydebank North	58,415	68	Burgh	BN
Bellshill and Coatbridge	63,361	43	Burgh	BN
Caithness, Sutherland and Ross	56,532	12,792	County	U
Carrick, Cumnock and Doon Valley	59,218	2,083	County	U
Clackmannanshire and Dunblane	55,421	461	County	B
Clyde Valley and Tweeddale	60,443	2,518	County	BN
Cowdenbeath	59,195	153	County	B
Cumbernauld and Chryston	62,578	90	County	BN
Cunninghame North	56,604	777	County	U
Cunninghame South	62,113	243	County	B
Dumbarton and Helensburgh	57,666	222	County	BN
Dumfriesshire	61,848	2,879	County	U
Dundee City East	56,030	28	Burgh	U
Dundee City West	56,705	35	Burgh	U
Dunfermline	60,987	202	County	B
East Kilbride	61,700	54	Burgh	B
East Lothian	59,385	670	County	B
Edinburgh Central	59,203	14	Burgh	B
Edinburgh Eastern	64,870	29	Burgh	B
Edinburgh Forth and Linlithgow	55,866	167	County	BN
Edinburgh Northern and Leith	59,650	13	Burgh	B
Edinburgh Pentlands	55,545	108	County	B
Edinburgh Southern	60,377	21	Burgh	B
Edinburgh Western	59,884	20	Burgh	B
Ettrick, Roxburgh and Berwickshire	55,131	3,194	County	U
Falkirk East	61,529	206	County	U
Falkirk West	63,861	109	County	U
Fife North East	56,669	774	County	N
Galloway and West Dumfries	57,094	3,797	County	U
Glasgow Anniesland	60,545	18	Burgh	B
Glasgow Cardonald and Pollok	54,058	20	Burgh	BN
Glasgow Central and Govan	61,924	21	Burgh	BN
Glasgow Kelvin and Maryhill	64,836	21	Burgh	BN

Glasgow Priesthill and Giffnock	63,822	29	Burgh	BN
Glasgow Shettleston and Baillieston	65,738	29	Burgh	BN
Glasgow Southside and Cathcart	58,859	18	Burgh	BN
Glasgow Springburn and Provan	59,829	35	Burgh	BN
Hamilton and Uddingston	54,496	51	Burgh	BN
Inverclyde	60,794	174	County	BN
Inverness and Nairn	69,113	1,314	County	B
Kilmarnock and Irvine Valley	54,927	258	County	B
Kirkcaldy	55,100	65	Burgh	B
Kirkintilloch and Kilsyth	62,771	195	County	BN
Larkhall and Clydesdale	57,386	668	County	BN
Livingston	56,009	138	County	BN
Mid Fife and Glenrothes	58,436	178	County	B
Midlothian North and Musselburgh	55,122	51	Burgh	B
Midlothian South	64,424	339	County	BN
Moray	63,133	2,056	County	U
Motherwell	62,652	58	Burgh	BN
Na h-Eileanan an Iar	21,769	3,270	County	U
Orkney Islands	17,696	1,087	County	U
Paisley and Renfrew	63,856	37	Burgh	BN
Perthshire North	59,944	3,979	County	B
Perthshire South and Kinross-shire	60,095	1,442	County	B
Renfrewshire South	61,966	267	County	B
Renfrewshire West	61,690	126	County	BN
Rutherglen	62,400	33	Burgh	B
Shetland Islands	17,965	1,657	County	U
Skye, Lochaber and Badenoch	63,573	12,367	County	B
Stirling	55,613	1,958	County	B

B – boundary changed from existing constituency. Name unchanged.

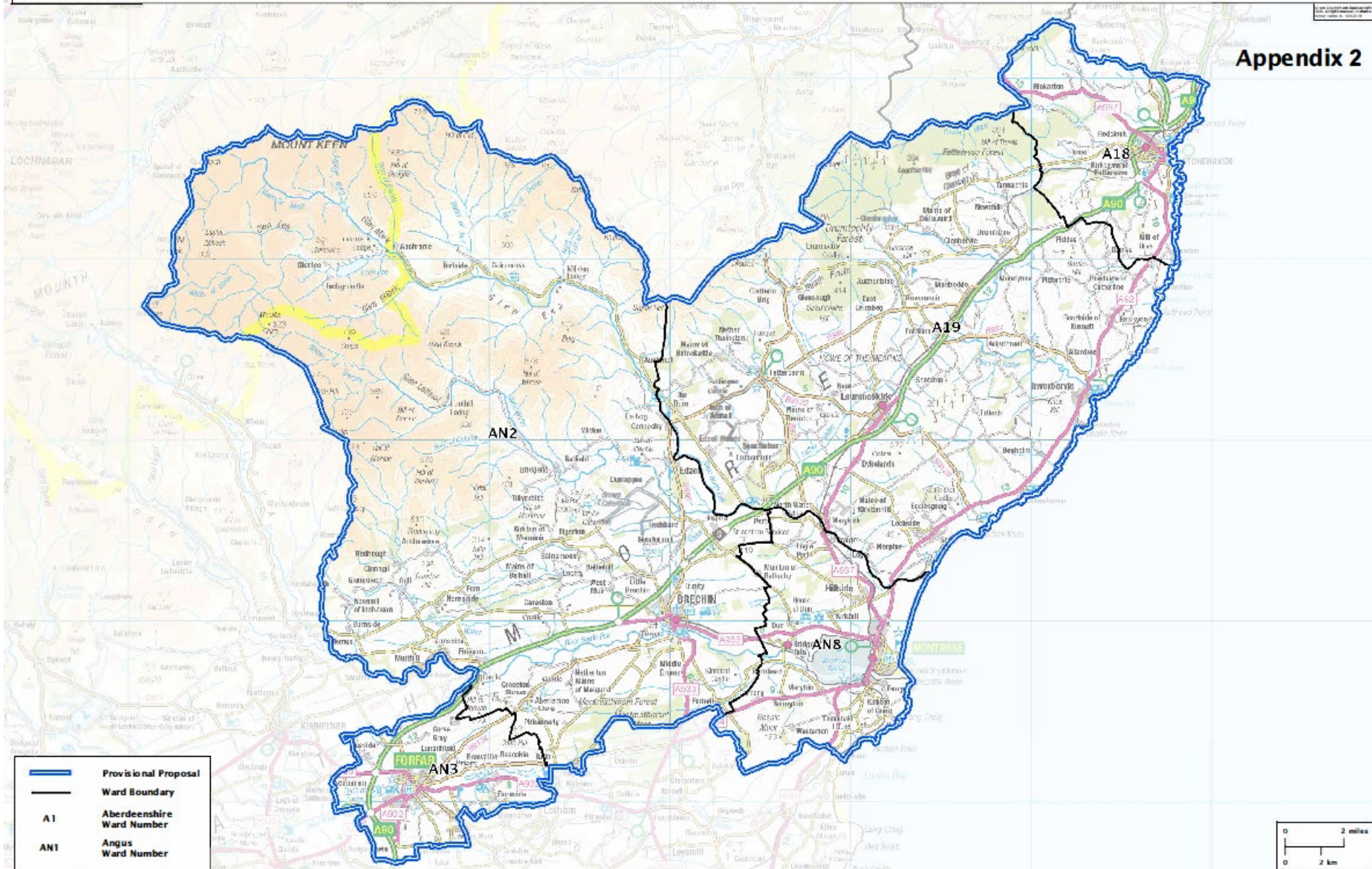
BN – new constituency boundary and new constituency name.

N – name changed. Boundary unchanged from existing constituency.

U – unchanged.

## Second Review of Scottish Parliament Boundaries - Provisional Proposals Angus North and Mearns County Constituency - Electorate 55,006

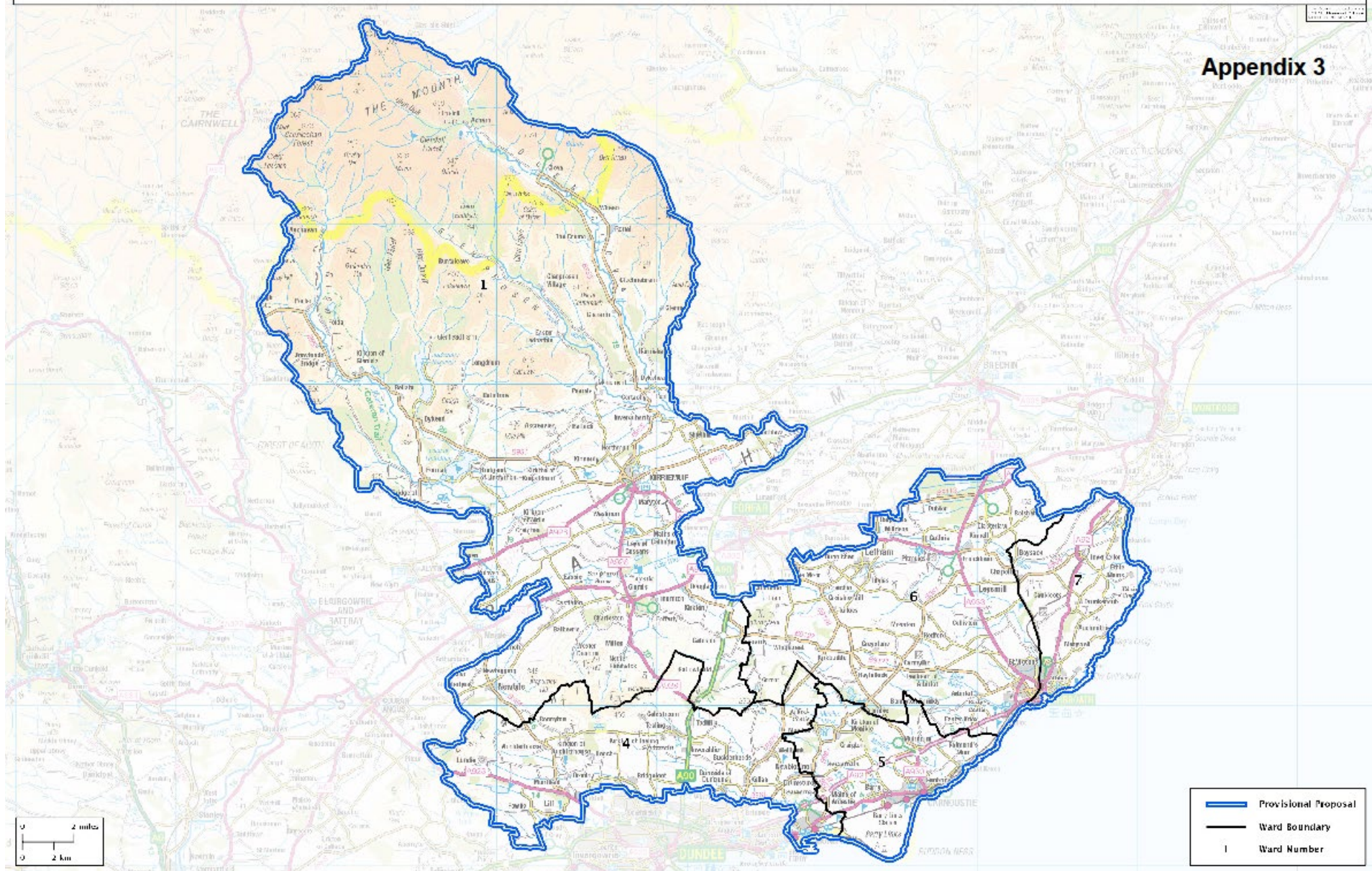
Appendix 2



# Second Review of Scottish Parliament Boundaries - Provisional Proposals

## Angus South County Constituency - Electorate 58,622

Appendix 3





## Second Review of Scottish Parliament Boundaries

### Guidance Booklet

Boundaries Scotland  
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91 Haymarket Terrace  
EDINBURGH EH12 5HD

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

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## **Introduction**

The purpose of this booklet is to explain the background to, and procedures for, the Second Review of Scottish Parliament Boundaries. Reviews are governed by Schedule 1 of the Scotland Act 1998 (as amended) (“the 1998 Act”) and this paper is a summary of what is required.

## **Who we are**

Boundaries Scotland is an independent, non-political body responsible for carrying out reviews of Scottish Parliament boundaries.

We are also responsible for conducting reviews of local government electoral arrangements, where we review the number of councillors on each council; the number of wards for local government elections and their boundaries. We can also review the boundaries of council areas.

## **Why are we conducting this review**

The population, and therefore the electorate, of each constituency is constantly changing, with people moving into or out of areas as well as within the same area. As a result of these changes, some MSPs may represent considerably more or fewer electors than others. These variations in levels of representation, are one of the reasons that we carry out regular reviews of Scottish Parliament boundaries, in order to ensure electoral fairness .

Schedule 1 of the 1998 Act requires us to conduct reviews of Scottish Parliament boundaries for constituencies and regions at intervals of every 8 to 12 years.

We must submit a report on this review to Scottish Ministers by 1 May 2025. If subsequently approved by the Scottish Parliament, the new boundaries will be effective at the next Scottish Parliament election, expected in May 2026.

## **Existing Scottish Parliament constituencies**

The First Review of Scottish Parliament boundaries was completed in 2010. The existing boundaries for the Scottish Parliament have been in place since 2011 and used in elections in 2011, 2016 and 2021.

There have been two Interim Reviews of Scottish Parliament boundaries since the First Review. These followed minor re-alignments to council area boundaries at: Princes Gate and Greenacres by Robroyston (constituencies of Glasgow Provan and Strathkelvin and Bearsden and regions of Glasgow and West Scotland) in 2013; and at Cardowan (constituencies of Glasgow Provan and Coatbridge and Chryston and regions of Glasgow and Central Scotland) in 2020.

## **How to get involved**

During the review we will seek your feedback and comments on our proposals. We will publicise our proposed boundaries during one-month consultation stages for constituencies and regions. Our proposals will be available on our website and consultation site [consult.boundaries.scot](https://consult.boundaries.scot).

## **The Review**

There are 73 constituencies for the Scottish Parliament. Each constituency returns a single member (MSP) to the Scottish Parliament. In addition, there are eight regions which each elect 7 list MSPs. Our review cannot change the number of constituencies and regions nor the number of MSPs.

There are three constituencies which will not be under review as they are protected under the legislation. They are: Orkney Islands; Shetland Islands; and Na h-Eileanan Siar (Western Isles).

## **Rules**

We must follow a number of rules when conducting reviews of Scottish Parliament boundaries. These rules are set out in full in Appendix A but in summary require us to:

1. take account of council area boundaries.
2. create constituencies and regions that have broadly the same number of electors.
3. take account of special geographical considerations (including in particular the size, shape and accessibility of a constituency or region).
4. take account of local ties and other inconveniences caused by changes to constituencies.

## **Constituency names and designation**

Our recommendations for each constituency must include:

- the name by which it should be known and
- whether it should be designated as a county constituency or a burgh constituency. The designation of a constituency affects the expenses allowable at elections.

The 1998 Act does not define the terms burgh constituency or county constituency. We consider that where constituencies comprise predominantly urban areas, they will normally be designated as burgh constituencies, and where constituencies are predominantly rural they will normally be designated as county constituencies.

Until we have progressed our review of constituencies and considered representations on our proposals for constituencies, we are not in a position to determine changes that may be necessary to the boundaries of the eight regions.

## **Electorate**

The electorate for the review consists of the persons on the register of local government electors in force on the start of the review.

The Second Review of Scottish Parliament Boundaries commenced on 1 September 2022. We use electorate data from that day, supplied by Electoral Registration Officers and published on our website.

The legislation makes no provision for taking account of any increases or decreases in the electorate after the start of the review.

## **Electorate Quota**

The electoral quota is defined as the average local government electorate of the 70 constituencies that are the subject of this review.

The electoral quota for the Second Review of Scottish Parliament Boundaries is 59,902.

The electorate of a constituency must be as near the electoral quota as is practicable, having regard to Rule 1.

The table below explains how the electorate quota is calculated

Total local government electorate on 1 September 2022	4,250,565
less the three protected constituency electorates (Orkney Islands; Shetland Islands; and Na h–Eileanan an Iar)	57,430
Subtotal	4,193,135
divided by 70	
electorate quota	59,902

### Review Stages/ Timeline

The start of the Second Review of Scottish Parliament boundaries was announced in the Edinburgh Gazette on 1 September 2022. We then calculated the electorate quota based on the electoral register on that date:

Our outline timetable is as follows:

Develop provisional proposals for constituencies.	December 2022 to April 2023
One month public consultation on our provisional proposals for constituencies.	May - June 2023
Consider responses and if local inquiries are required.	Summer 2023
Hold local inquiries if required	Summer/autumn 2023  All subsequent timings are dependent on the number of local inquiries.
Develop provisional proposals for regions.	
One month public consultation on our revised proposals for constituencies.	
One month public consultation on our provisional proposals for regions.	
Consider responses and if local inquiries are required.	
One month public consultation on our final proposals for constituencies.	
One month public consultation on our final proposals for regions.	
Submit report to Scottish Ministers.	by 1 May 2025

We will provide updates on the timing of each stage on our website as the review progresses.

### **Provisional proposals**

We first determine our provisional proposals. Details of our approach are available on our website where we publish our meeting papers and minutes.

Provisional proposals are made available for public comment for a one-month consultation period. The length of the consultation period is fixed in legislation. We publicise our proposals by issuing a news release, contacting key stakeholders and advertising in the press and on social media.

Comments on our provisional proposals, whether in support or not, should be sent online to our consultation portal or by post to our address on the front cover. We do not accept responses via social media.

Our consultation site is [consult.boundaries.scot](https://consult.boundaries.scot)

### **Local inquiries**

We are required to hold a local inquiry if representations objecting to the provisional proposals are received either from a local authority for part or all of the area of the affected constituency, or from a body of 100 or more parliamentary electors for the affected constituency. We can also choose to hold one in a particular area if we think it helpful.

The inquiry is conducted by an Assistant Commissioner appointed by Scottish Ministers at our request. No statutory procedure is prescribed for the conduct of a local inquiry. The purpose is to:

- hear local opinions;
- hear criticisms of or support for the provisional proposals;
- receive counter-proposals; and
- enable everyone who wishes to comment on these or on our proposals to do so.

We are not represented at the inquiry, although members of our Secretariat may be present as observers. Those who seek to express their views may do so in person or through a representative, whether or not they have submitted a written representation.

The Assistant Commissioner reports in writing directly to us. Apart from commenting on various objections received, the Assistant Commissioner is at liberty to suggest amendments or alterations to our proposals, or to substitute completely different proposals if these appear to command wider acceptance than the original proposals.

A copy of the Assistant Commissioner's report will be made available on our website.

### **Revised recommendations**

In cases where there has been no local inquiry, we will take into account any representations received, and make any amendments to our provisional proposals that are judged appropriate.

In cases where a local inquiry has been held, we will consider the Assistant Commissioner's report and the matters discussed at the inquiry, together with any relevant information, and make any amendments to our provisional proposals considered necessary.

If we decide to alter our provisional proposals, the resulting revised recommendations are published in the same way as for the provisional proposals. Representations about these revised recommendations may then be made to us within a one-month period.

We are not required to hold a further inquiry in the light of any representations, but may do so if we consider it necessary.

### **Regions**

We will make provisional proposals for the regions taking into account our deliberations on constituency boundaries.

The provisional proposals for regions, along with the revised recommendations for constituencies, will be published and representations invited in the same way as for constituencies.

We are required to hold a local inquiry on our provisional proposals for regions if representations objecting to our proposals are received from an interested local authority (that is a local authority for part or all of the area of the proposed region) or a body of 500 or more electors for the proposed region.

A local inquiry on provisional proposals for regions will take the same form and will report in the same way as a local inquiry on provisional proposals for constituencies.

We will consider whether to revise our provisional proposals for regions, and publish any revised recommendations for regions and consult on them in the same way as was done for constituencies.

### **Final recommendations**

We will take into account any representations received regarding our revised recommendations, and decide whether any further modifications are required to our recommendations for constituencies and regions.

If we decide to modify our revised recommendations before finally submitting them to Scottish Ministers these modified recommendations will be published and representations again invited within a one-month period.

### **Report submission**

Once we have completed our considerations under the 1998 Act, we will submit our recommendations for constituencies and regions in a report to Scottish Ministers.

### **Statutory process**

Scottish Ministers must lay the report and the draft of an Order in Council for giving effect to the recommendations contained in the report before the Scottish Parliament where it is subject to affirmative procedure.

If the Parliament approves the Order then the new constituencies will come into force at the next election. If rejected, the Commission may be asked to conduct a further review specifically to consider the representations (if any) of the Parliament, and reconsider our proposals. A further report is then submitted to Scottish Ministers and laid before Parliament again.

SCOTLAND ACT 1998 (as amended)  
SCHEDULE 1  
CONSTITUENCIES, REGIONS AND REGIONAL MEMBERS

*General*

- 1 (1) There are to be 73 constituencies for the purposes of this Act.  
(2) The constituencies are—
  - (za) the existing constituency of Na h-Eileanan an Iar,
  - (a) the Orkney Islands,
  - (b) the Shetland Islands, and
  - (c) the constituencies provided for by an Order in Council under paragraph 6.
- 2 (1) There are to be eight regions for the purposes of this Act.  
(2) The regions are the regions provided for by an Order in Council under paragraph 6.  
(3) Seven regional members are to be returned for each region.
- 3 (1) Boundaries Scotland must keep under review the boundaries of the constituencies (other than those mentioned in paragraph(2)(za), (a) and (b)).  
(2) The review must be conducted in accordance with the constituency rules.  
(3) Boundaries Scotland must submit to the Scottish Ministers a report—
  - (a) showing the alterations it proposes to the boundaries, or
  - (b) stating that in its opinion no alteration should be made.  
(4) The first report of Boundaries Scotland to the Scottish Ministers under this paragraph must be submitted to the Scottish Ministers no later than 1 May 2025.  
(5) Subsequent reports must be submitted not less than eight nor more than twelve years after the date of the submission of the last report.  
(6) Boundaries Scotland may also from time to time submit to the Scottish Ministers reports with respect to the area comprised in any two or more constituencies showing the constituencies into which it recommends the area should be divided in order to give effect to the constituency rules.  
(7) A report under sub-paragraph (6) must recommend the same number of constituencies as that in which the area is comprised.

(8) A report of Boundaries Scotland which recommends an alteration to the boundaries of constituencies must state as respects each constituency—

- (a) the name by which it recommends it is to be known;
- (b) whether it recommends that it is to be a county or a burgh constituency.

(9) As soon as practicable after Boundaries Scotland have submitted a report to the Scottish Ministers under this paragraph the Scottish Ministers must lay before the Parliament —

- (a) the report, and
- (b) the draft of an Order in Council for giving effect to the recommendations contained in the report.

(10) Sub-paragraph (9)(b) does not apply if the report states that no alteration is required to be made to the boundaries of the constituencies.

- 4
- (1) This paragraph applies if Boundaries Scotland submit a report to the Scottish Ministers recommending an alteration in a constituency.
  - (2) In the report Boundaries Scotland must recommend any alteration in any of the regions which it thinks is necessary to give effect to the regional rules.
  - (3) A report making a recommendation for an alteration in a region must recommend the name by which Boundaries Scotland think the region should be known.

Paragraph 5 deleted (by Scottish Parliament (Constituencies) Act 2004).

#### *Orders in Council*

- 6
- (1) The draft of an Order in Council laid before the Parliament by the Scottish Ministers for giving effect to the recommendations contained in a report by Boundaries Scotland under paragraph 3 may make provision for any matters which the Scottish Ministers think are incidental to or consequential on the recommendations.
  - (2) If the draft is approved by resolution of the Parliament the Scottish Ministers must submit it to Her Majesty in Council.
  - (3) If a motion for the approval of the draft is rejected by the Parliament or withdrawn the Scottish Ministers may amend the draft to make such minor or



technical alterations as they consider appropriate and lay the amended draft before the Parliament.

(3A) As soon as reasonably practicable after laying the draft so amended, the Scottish Ministers must publish a statement setting out their reasons for making the minor or technical alterations to the draft.

(3B) The Scottish Ministers must not withdraw a draft Order laid before the Parliament under paragraph 3(9)(b) or sub-paragraph (3) except with the agreement of the Parliament.

(4) If the draft as so amended is approved by resolution of the Parliament the Scottish Ministers must submit it to Her Majesty in Council.

(4A) If the Scottish Ministers do not lay an amended draft Order under sub-paragraph (3), the Scottish Ministers must notify Boundaries Scotland that it is required to conduct, in accordance with sub-paragraph (4B), a further review of the alterations proposed to the boundaries by the draft Order which was rejected or withdrawn.

(4B) Once notified, Boundaries Scotland must conduct a further review of the proposed alterations and may determine the manner and the extent of the review, provided that the purpose of the review is to—

- (a) consider the representations (if any) of the Parliament, and
- (b) reconsider the proposals and make any further or supplementary proposals as it thinks fit.

(4C) This schedule applies to a further review under sub-paragraph (4B) as it applies to a review and report under paragraph 3 except that—

- (a) Boundaries Scotland is to submit a report on the further review—
  - (i) before such date as the Scottish Ministers may direct, or
  - (ii) in the absence of such direction, within such reasonable time as it may determine,
- (b) sub-paragraphs (1)(a), (3) and (4) of paragraph 7 do not apply to a further review under sub-paragraph (4B),
- (c) where a report has already been submitted following a further review under sub-paragraph (4B), the Scottish Ministers may notify Boundaries Scotland under sub-paragraph (4A) that it is required to conduct a further review only if the Parliament has by resolution directed them to do so.

(4D) A further review under sub-paragraph (4B) is to be disregarded for the purposes of calculating the intervals between reports of Boundaries Scotland under paragraph 3.

(5) If a draft of an Order in Council is submitted to Her Majesty in Council under this Schedule, Her Majesty in Council may make an order in terms of the draft.

(6) An Order in Council made as mentioned in sub-paragraph (5) comes into force on the date specified in the Order.

(7) The coming into force of the Order does not affect the return of any member to the Parliament or its constitution until the Parliament is dissolved.

(8) The validity of an Order in Council purporting to be made under this Schedule and reciting that a draft of the Order has been approved by a resolution of the Parliament must not be called in question in any legal proceedings whatsoever.

#### *Notice of proposed report or recommendations*

7 (1) If Boundaries Scotland intend to consider making a report under this Schedule—

(a) it must inform the Scottish Ministers by notice in writing;

(b) it must publish a copy of the notice in the Edinburgh Gazette.

(2) If Boundaries Scotland has provisionally determined to make recommendations affecting a constituency it must publish in such manner as it thinks fit a notice stating—

(a) the effect of the proposed recommendations and (except if the effect is that no alteration should be made in respect of the constituency) that a copy of the recommendations is open to inspection at a specified place in the constituency, and

(b) that representations with respect to the proposed recommendations may be made to the Boundaries Scotland before the end of the period of one month starting the day after the notice is published.

(3) Boundaries Scotland must take into account any representations made in accordance with the notice.

(4) If Boundaries Scotland revise any proposed recommendations after publishing notice of them under sub-paragraph (2) it must comply again with

sub-paragraphs (2) and (3) in relation to the revised recommendations as if no earlier notice had been published.

- 8 (1) This paragraph applies if Boundaries Scotland provisionally determine to make recommendations which would involve any alteration in a constituency.
- (2) Boundaries Scotland must consider whether any alteration within paragraph 4(2) would be required in order to give effect to the regional rules.
- (3) – deleted (by Scotland Act 2012).
- (4) Paragraph 7 applies for the purposes of the proposed recommendations as if for any reference to a constituency there is substituted a reference to a region.

### *Local inquiries*

- 9 (1) Boundaries Scotland may if it thinks fit cause a local inquiry to be held in respect of any constituency or constituencies.
- (2) If Boundaries Scotland receive any relevant representations objecting to a proposed recommendation for the alteration of a constituency it must not make the recommendation unless since the publication of the notice under paragraph 7(2) a local inquiry has been held in respect of the constituency.
- (3) If a local inquiry was held in respect of the constituency before the publication of the notice under paragraph 7(2), sub-paragraph (2) above does not apply if Boundaries Scotland after considering—
- (a) the matters discussed at the inquiry,
  - (b) the nature of the relevant representations received, and
  - (c) any other relevant circumstances,
- think that a further local inquiry is not justified.
- (4) A relevant representation is a representation made in accordance with paragraph 7(2)(b)—
- (a) by the council for an area which is wholly or partly comprised in the constituency;
  - (b) by a body of not less than 100 persons entitled to vote as electors at an election for membership of the Parliament held in the constituency.

- 10 (1) Boundaries Scotland may if it thinks fit cause a local inquiry to be held in respect of any region or regions.
- (2) If Boundaries Scotland receive any relevant representations objecting to a proposed recommendation for the alteration of a region it must not make the recommendation unless since the publication of the notice under paragraph 7(2) a local inquiry has been held in respect of the region.
- (3) If a local inquiry was held in respect of the region before the publication of the notice under paragraph 7(2), sub-paragraph (2) above does not apply if Boundaries Scotland after considering—
- (a) the matters discussed at the inquiry,
  - (b) the nature of the relevant representations received, and
  - (c) any other relevant circumstances,
- think that a further local inquiry is not justified.
- (4) A relevant representation is a representation made in accordance with paragraph 7(2)(b)—
- (a) by the council for an area which is wholly or partly included in the region;
  - (b) by a body of not less than 500 persons entitled to vote as electors at an election for membership of the Parliament held in any one or more of the constituencies included in the region.
- 11 Section 210(4) and (5) of the Local Government (Scotland) Act 1973 (c. 69) (attendance of witnesses at inquiries) applies in relation to a local inquiry held under paragraph 9 or 10.

*The constituency rules*

12 These are the constituency rules.

**Rule 1**

(1) So far as is practicable, regard must be had to the boundaries of the local government areas having effect from time to time under section 1 of the Local Government etc. (Scotland) Act 1994.

**Rule 2**

(1) The electorate of a constituency must be as near the electoral quota as is practicable, having regard to Rule 1.

(2) Boundaries Scotland may depart from the strict application of Rule 1 if it thinks that it is desirable to do so to avoid an excessive disparity between the electorate of a constituency and the electoral quota or between the electorate of a constituency and that of neighbouring constituencies.

(3) The electoral quota is the number obtained by dividing the total electorate by.

(4) The electorate of a constituency is the aggregate of the persons falling within paragraphs (5) and (6) below.

(5) A person falls within this paragraph if his name appears on the register of local government electors in force on the enumeration date under the Representation of the People Acts for a local government area which is situated wholly in the constituency.

(6) A person falls within this paragraph if his name appears on the register of local government electors in force on the enumeration date under the Representation of the People Acts for a local government area which is situated partly in the constituency and his qualifying address is situated in the constituency.

(7) The total electorate is the total number of persons whose names appear on the registers of local government electors in force on the enumeration date under the Representation of the People Acts for all of the local government areas in Scotland (except the local government areas of Comhairle nan Eilean Siar, Orkney and Shetland).

(8) The enumeration date is, in relation to a report of Boundaries Scotland, the date on which notice with respect to the report is published in the Edinburgh Gazette in accordance with paragraph 7(1) above.

(9) “Qualifying address” and “local government area” have the same meanings as in the Representation of the People Act 1983 (c. 2).

### **Rule 3**

Boundaries Scotland may depart from the strict application of Rules 1 and 2 if it thinks that special geographical considerations (including in particular the size, shape and accessibility of a constituency) render it desirable to do so.

### **Rule 4**

Boundaries Scotland need not aim at giving full effect in all circumstances to Rules 1 to 3 but it must take account (so far as it reasonably can)—

- (a) of the inconveniences attendant on alterations of constituencies other than alterations made for the purposes of Rule 1, and
- (b) of any local ties which would be broken by such alterations.

*The regional rules*

13 These are the regional rules.

**Rule 1**

A constituency must fall wholly within a region.

**Rule 2**

The regional electorate of a region must be as near the regional electorate of each of the other regions as is practicable, having regard (where appropriate) to special geographical considerations.

- 14 (1) This paragraph applies for the purposes of the regional rules.
- (2) For the purposes of a report of Boundaries Scotland in relation to a region, the regional electorate is the number of persons—
- (a) whose names appear on the enumeration date on the registers of local government electors in the region, and
  - (b) who are registered at addresses within a constituency included in the region.
- (3) The enumeration date is the date on which notice with respect to the report is published in the Edinburgh Gazette in accordance with paragraph 7(1) above.



## Equality Impact/Fairer Scotland Duty Assessment Form

(To be completed with reference to Guidance Notes)

### Step 1

**Name of Proposal** (includes e. g. budget savings, committee reports, strategies, policies, procedures, service reviews, functions):

Second Review of Scottish Parliament Boundaries

### Step 2

Is this only a **screening** Equality Impact Assessment

Yes

**(A)** If Yes, please choose from the following options **all** reasons why a full EIA/FSD is not required:

(i) It does not impact on people

No

(ii) It is a percentage increase in fees which has no differential impact on protected characteristics

No

(iii) It is for information only

Yes

(iv) It is reflective e.g., of budget spend over a financial year

No

(v) It is technical

Yes

If you have answered yes to any of points above, please go to **Step 16**, and sign off the Assessment.

**(B)** If you have answered No to the above, please indicate the following:

Is this a full Equality Impact Assessment

Yes/No

Is this a Fairer Scotland Duty Assessment

Yes/No

If you have answered Yes to either or both of the above, continue with Step 3.

If your proposal is a **strategy**, please ensure you complete Step 13 which is the Fairer Scotland Duty Assessment.

**Step 16: Sign off and Authorisation.** Please state name, post, and date for each:

Prepared by: Gillian Bell, Facilities & Elections 16 May 2023

Reviewed by: Shona Cameron, Manager – Elections, Commercialisation & Facilities

Approved by: Jackie Buchanan, Director of Legal and Democratic Services 31 May 2023

NB. There are several worked examples of separate EIA and FSD Assessments in the Guidance which may be of use to you.

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