



RESEARCH PAPER 04/12  
3 FEBRUARY 2004

# *The Scottish Parliament (Constituencies) Bill*

**Bill 4 of 2003-4**

The Bill seeks to amend the *Scotland Act 1998* primarily by replacing Schedule 1 of the Act with a new schedule that removes the statutory link between the constituencies for the Scottish Parliament and those for the House of Commons. If the Bill is passed, the existing constituencies will be retained for the Scottish Parliament notwithstanding any changes made by the Boundary Commission for Scotland in its fifth periodical review of Westminster constituencies. Together with the Bill's provision that any recommendations made by the Commission concerning the regions and regional members in Scotland will not be acted upon, this will allow the retention of 129 MSPs in the Scottish Parliament. The Bill also provides for the Scottish Parliament constituencies to be reviewed by the Electoral Commission separately from any reviews of Scottish Westminster constituencies in future.

Isobel White

PARLIAMENT AND CONSTITUTION CENTRE

HOUSE OF COMMONS LIBRARY

## I Recent House of Commons Library Research Papers

<b>03/91</b>	Unemployment by Constituency, November 2003	17.12.03
<b>03/92</b>	<i>Traffic Management Bill</i> [Bill 13 of 2003-04]	23.12.03
<b>03/93</b>	<i>The National Insurance Contributions and Statutory Payments Bill</i> [Bill 2 of 2003-04]	23.12.03
<b>03/94</b>	<i>The Horseracing Betting and Olympic Lottery Bill</i> [Bill 2 of 2003-04]	23.12.03
<b>04/01</b>	2001 Census of Population: statistics for parliamentary constituencies	05.01.04
<b>04/02</b>	<i>The Housing Bill</i> [Bill 11 of 2003-04]	05.01.04
<b>04/03</b>	<i>Employment Relations Bill</i> [Bill 7 of 2003-04]	07.01.04
<b>04/04</b>	<i>The Human Tissue Bill</i> [Bill 9 of 2003-04]	08.01.04
<b>04/05</b>	<i>Armed Forces (Pensions and Compensation) Bill</i> [Bill 10 of 2003-04]	08.01.04
<b>04/06</b>	Unemployment by Constituency, December 2003	14.01.03
<b>04/07</b>	<i>The Civil Contingencies Bill</i> [Bill 14 of 2003-04]	15.01.04
<b>04/08</b>	<i>The Higher Education Bill</i> [Bill 35 of 2003-04]	21.01.04
<b>04/09</b>	<i>The Fire and Rescue Services Bill</i> [Bill 38 of 2003-04]	22.01.04
<b>04/10</b>	<i>The Sustainable and Secure Buildings Bill</i> [Bill 15 of 2003-04]	29.01.04
<b>04/11</b>	Economic Indicators [includes article: Consumer Borrowing]	02.02.04

*Research Papers are available as PDF files:*

- *to members of the general public on the Parliamentary web site,  
URL: <http://www.parliament.uk>*
- *within Parliament to users of the Parliamentary Intranet,  
URL: <http://hcl1.hclibrary.parliament.uk>*

Library Research Papers are compiled for the benefit of Members of Parliament and their personal staff. Authors are available to discuss the contents of these papers with Members and their staff but cannot advise members of the general public. Any comments on Research Papers should be sent to the Research Publications Officer, Room 407, 1 Derby Gate, London, SW1A 2DG or e-mailed to PAPERS@parliament.uk

## Summary of main points

- The Bill amends Schedule 1 of the *Scotland Act 1998* by replacing it with a new schedule which, in removing the statutory link between the constituencies for the Scottish Parliament and those for the House of Commons and retaining the present regions and number of regional MSPs, ensures that the number of MSPs will remain at 129 even though the Boundary Commission for Scotland has recommended a reduction in the number of seats for Scotland in the House of Commons.
- The Boundary Commission for Scotland has completed its fifth periodical review of Parliamentary constituencies and published its final recommendations in December 2003. The Commission confirmed its provisional proposal that there should be 59 Westminster constituencies, a reduction of 13.
- The Bill will disapply any recommendations by the Boundary Commission for Scotland concerning consequential changes to the regions and regional members following the Commission's review of parliamentary constituencies.
- The Bill also provides for the Scottish Parliament constituencies to be reviewed by the Electoral Commission, separately from any future reviews of the Scottish Westminster constituencies. This will take place after the next Scottish Parliament general election in 2007.
- This paper looks at how the Scottish Parliament came to have 129 MSPs and gives details of the consultation that took place in 2001/02 on the size of the Parliament. A summary of the responses and details of the conclusions are provided.
- A brief history of the representation of Scotland at Westminster is given including a table showing the population and electorate of Scotland and the number of its seats in the House of Commons from 1707.
- This paper looks at the work of the Boundary Commission and the changes made to the Rules for the Redistribution of Seats by the *Scotland Act 1998* which have been implemented in the current review. Maps are included showing the current and proposed constituencies.
- The Scottish Affairs Committee published their report, *The coincidence of Parliamentary constituency boundaries in Scotland and the consequences of change*, on 3 February 2004. The Committee's recommendations are summarised.
- The publication of the Bill has led to calls for the *Scotland Act 1998* to be amended further, even though the Government had indicated that the legislation would be tightly drawn to prevent it being used to reopen the devolution settlement. Other proposals for reform have included the creation of a Scottish civil service; the ability of the Scottish Parliament to reform its own procedures; changes to the electoral system for the Parliament and greater fiscal powers.
- The paper looks briefly at the related 'West Lothian Question' and the debate in the House of Commons on 21 January 2004 on the voting rights of Members of Parliament representing Scottish constituencies.



## CONTENTS

<b>I</b>	<b>Scottish representation at Westminster</b>	<b>7</b>
	<b>A. The historical context</b>	<b>7</b>
	<b>B. The Boundary Commission for Scotland</b>	<b>9</b>
	1. Changes made by the <i>Scotland Act 1998</i>	9
	2. The Fifth Periodical Review of Parliamentary Constituencies in Scotland	10
<b>II</b>	<b>The size of the Scottish Parliament</b>	<b>13</b>
	<b>A. How the Parliament came to have 129 MSPs</b>	<b>13</b>
	<b>B. The consultation exercise on the size of the Scottish Parliament</b>	<b>18</b>
	1. The consultation document	18
	2. The responses	19
	3. The outcome	21
	<b>C. An independent commission on coterminosity</b>	<b>24</b>
<b>III</b>	<b>The Scottish Affairs Select Committee inquiry</b>	<b>25</b>
<b>IV</b>	<b>The Bill</b>	<b>27</b>
	<b>A. Constituencies and regions</b>	<b>27</b>
	<b>B. Current reviews</b>	<b>27</b>
	<b>C. Other provisions</b>	<b>28</b>
	<b>D. The Schedules</b>	<b>28</b>
<b>V</b>	<b>Amending the <i>Scotland Act 1998</i></b>	<b>29</b>
<b>VI</b>	<b>The West Lothian Question</b>	<b>32</b>
	<b>Appendix 1: Table showing Scottish representation in the House of Commons since 1707</b>	<b>36</b>

<b>Appendix 2: Conclusions and recommendations of the Scottish Affairs Committee</b>	<b>37</b>
<b>Appendix 3: Maps showing current Scottish constituencies and the <a href="#">proposed new constituencies</a> (click to view)</b>	<b>38</b>

# I Scottish representation at Westminster

## A. The historical context

The 1707 Union (Art XXII) gave Scotland 45 seats in the new 558 seat Parliament of Great Britain. This was less than a strict population-based allocation would have provided, but this concept, over 100 years before the Reform Act of 1832, was far less relevant in the early 18th century than in later, more democratic times.<sup>1</sup> This under-representation diminished through the 18th century, due to changes in the relative populations of the home countries, and was further reduced by the Union with Ireland in 1801, when Ireland, with almost one third of the new UK's population, was granted only 100 of the 658 seats.

Further changes were made in the 19<sup>th</sup> century through the various 'Reform Acts' and related legislation. The 1832 reforms gave Scotland 8 extra seats<sup>2</sup>, and Wales, including Monmouthshire, 4 more seats. The overall size of the House remained at 658, of which Scotland had 53 and Wales 31. At this stage Scotland was under-represented in terms of population, with 8% of the UK's seats but 10% of its population, while Wales was over-represented, with nearly 5% of the UK's seats but less than 4% of the UK's population. In terms of electorate, however, matters were different: Scotland had 8% of the total electorate and so was proportionately represented, while Wales had just over 5% of the UK's electorate and so was slightly under-represented.

Further changes in 1867-8 increased Scotland's share to 60 and Wales's to 33 within the 658 seat House. At this date, both countries were slightly under-represented. The 1884-5 reforms raised the number of seats in Scotland and Wales yet again, by 12 and 1 respectively in a House of 670, and this moved both countries into a position of relative over-representation. Scotland had 10.7% of the UK's seats but only 10.0% of its electorate while Wales had 5.1% of the seats but only 4.9% of the electorate.

The combination of further changes in the numbers of seats and changes in the electorates of the home countries meant that, by 1918, Scotland's share of both seats and electorate in the UK were almost equal, the country was proportionately represented, while Wales's share of seats was lower than its share of electorate: it had become under-represented again. The removal of the Southern Ireland seats and the allocation of only 13 seats (including a university seat) for Northern Ireland in the early 1920s, however, boosted the proportionate representation of the 3 mainland countries in a House of 615 seats. In 1922, Scotland had 12.0% of the total seats but only 10.8% of the electorate and Wales had 6.0% of the seats and 5.9% of the electorate.

---

<sup>1</sup> Data on electorates before 1832 are meaningless so population has been used for the early years of this analysis. From 1832 onwards, however, the figures refer to over- and under- representation in terms of Wales and Scotland's shares of total UK seats compared with the total UK electorate.

<sup>2</sup> The figures in this section include university seats, where appropriate.

The Speaker's Conference of 1944 was crucial to the development of the territorial representation in Westminster, as it led to the institutionalisation of the 'over-representation' of Scotland and Wales within the modern boundary review system and, according to Iain McLean in his influential article published in 1995, '*Are Scotland and Wales over-represented in the House of Commons*', thus began the myth that the Union legislation of 1706-7 guaranteed Scottish over-representation.<sup>3</sup> The changes that came into effect in 1945 meant that Scotland had 11.6% of the UK's seats but only 10.2% of its electorate and Wales had 5.8% of the seats and 5.4% of the electorate. After that, Scotland had more than 11% of the total seats in the UK until the 1997 boundary changes, when its share fell to 10.9%. Scotland's share of the UK electorate had fallen to 9.0% in 1997. Since the war Wales has maintained its share of seats - this rose to 6.1% in 1997 - and electorate.

McLean concludes from his historical survey that "the over-representation of Scotland and Wales arises not from considerations of principle, but from the bargained compromises of 1944, which have been frozen into the legislation governing the allocation of seats."<sup>4</sup>

**Table showing number of Scottish seats in the House of Commons from 1707<sup>5</sup>**

	<b>Number of Scottish seats</b>	<b>Overall size of the House of Commons</b>
<b>1707</b>	45	558
<b>1800</b>	45	658
<b>1832</b>	53	658
<b>1868</b>	60	658
<b>1885</b>	72	670
<b>1918</b>	74	707
<b>1922</b>	74	615
<b>1945</b>	74	640
<b>1950</b>	71	625
<b>1955</b>	71	630
<b>1974</b>	71	635
<b>1983</b>	72	650
<b>1996</b>	72	659

---

<sup>3</sup> Iain McLean, "Are Scotland and Wales over - represented in the House of Commons?", *Political Quarterly*, 1995, Vol 66 no 4

<sup>4</sup> McLean op cit p266

<sup>5</sup> Extract from table in McLean op cit p252

Appendix 1 gives a more detailed table showing the Scottish population and electorate from 1707.

## **B. The Boundary Commission for Scotland**

There are four Parliamentary Boundary Commissions, one for each constituent part of the UK. Their operation is governed by the *Parliamentary Constituencies Act 1986* (a consolidation measure) as amended by the *Boundary Commissions Act 1992* and the *Political Parties, Elections and Referendums Act 2000*.<sup>6</sup> Under this legislation the Boundary Commission for Scotland has a statutory obligation to keep under review the parliamentary constituencies in Scotland.

Under s3 of the *Parliamentary Constituencies Act 1986* the next review of the Westminster seats for Scotland must take place between 8 to 12 years after the date of the submission of the last report. This was the fourth periodic review which began in February 1992. The Commission's report was submitted to the Secretary of State for Scotland in 1994 and the changes to the constituencies came into force in time for the general election of 1997. The next review must therefore be undertaken between December 2002 and 2006. The constituencies, if approved by both Houses of Parliament, will come into operation at the general election that next follows the making of the Order in Council providing for the new constituencies. Whether they will be in place for the next general election will be dependent on the timing of the Boundary Commission's report to the Secretary of State and the making of the Order in Council.

### **1. Changes made by the *Scotland Act 1998***

In carrying out periodic reviews the Boundary Commissions are required to give effect to the Rules for Redistribution of Seats which form Schedule 2 of the *Parliamentary Constituencies Act 1986*. Section 86 of the *Scotland Act 1998* amends these Rules.

- Rule 1(2), which guaranteed Scotland a minimum of 71 seats, was removed.<sup>7</sup> There is now no minimum number of Scottish seats at Westminster. The Boundary Commission for Scotland concluded in its announcement of the fifth review of Parliamentary Constituencies in Scotland that 'that the changes to ... the *Parliamentary Constituencies Act 1986* clearly signal Parliament's intention that the number of Scottish seats in the House of Commons should be reduced.'<sup>8</sup>
- An additional rule (Rule 3A) was inserted which ensured that the Orkney Islands and the Shetland Islands would be separately represented in the Scottish

---

<sup>6</sup> For further details about the operation of the Commissions see SN/PC/1158, *The Parliamentary Boundary Commissions*, 21 August 2003

<sup>7</sup> *Scotland Act 1998*, s86(2)

<sup>8</sup> Available at <http://www.bcomm-scotland.gov.uk/index.html>

Parliament.<sup>9</sup> All other constituencies would have the same boundaries as those for the House of Commons.

- Amendments to Rule 5<sup>10</sup> will apply the electoral quota for *England* when the Boundary Commission redistributes seats in Scotland in the first reorganisation after the passage of the *Scotland Act 1998*. Previously the Commission began a review by establishing the electoral quota for Scotland by dividing the number of existing constituencies by the total Scottish electorate. A new type of quota was therefore necessary if 71 seats were no longer to form a floor for the number of constituencies. This was always likely to reduce the number of Scottish seats since the electoral quota for Scotland is lower than for England.<sup>11</sup> However, the Rules relating to special geographical considerations and conformity with the boundaries of local authority still apply and so Scotland is unlikely to be given an allocation strictly proportional to its electorate. It is for the Commission to apply the Rules and they are allowed a considerable degree of discretion other than new Rule 3A.

If the present total of 659 seats in the House of Commons were distributed solely on a UK quota Scotland would receive 59 seats, but if each country had an average electorate equal to the current English electoral quota Scotland would have 57 seats. A major reason for using the English rather than the UK quota is presumably that the UK quota incorporates the existing number of Scottish seats, and so would not represent a clean break with the previous commitment to 71 seats.

See Appendix 1 for current population and electorate figures for England and Scotland.

## **2. The Fifth Periodical Review of Parliamentary Constituencies in Scotland**

The Parliamentary Boundary Commission for Scotland began its Fifth Review on 29 June 2001, using the electorate as at 16 February 2001. Its press release noted that:

The Commission is aware of recent speculation in the media that consideration is being given to breaking the link between Scottish seats at Westminster and seats for directly elected members to the Scottish Parliament and abolishing the regions for returning additional members to the Scottish Parliament.

The Commission has, however, received no advice that the legislation is likely to be changed in the immediate future and, therefore, will conduct its review in

---

<sup>9</sup> *Scotland Act 1998*, s86(3) and (5)

<sup>10</sup> *Ibid*, s86(4)

<sup>11</sup> The electoral quota is a figure obtained by dividing the total electorate by the number of constituencies existing at the time the Commissions begin their reviews. Until 1965 the quota was calculated for Great Britain as a whole but since then it has been related to each part of the United Kingdom.

accordance with the Parliamentary Constituencies Act 1986 and the Scotland Act 1998.

Schedule 1 of the *Scotland Act 1998* also required that the Commission should consider the boundaries of the regions which each return seven additional members to the Scottish Parliament when it makes recommendations affecting constituency boundaries. These regions are, at present, the eight European parliamentary constituencies. The Commission must also make a recommendation regarding the appropriate number of regional (or, colloquially, 'list') member seats in the Scottish Parliament, consequential upon an increase or decrease in the number of Scottish seats at the Westminster Parliament and the regional distribution of these seats. To comply with the *Scotland Act 1998*, the Commission is required to make any such recommendations in its general report to the Secretary of State for Scotland. The Commission can only begin consideration of these duties after it has completed its statutory review of Westminster constituencies.

Guidance on procedures and the progress of the review are available from the Scottish Boundary Commission website.<sup>12</sup> The guidance warned that boundary reviews were now more likely to cross local government boundaries:

At previous reviews, the geography and electorate of the regional authorities was such that there were few instances where, in observing the statutory rules, the Commission had a need to consider proposals which led to a constituency comprising parts of more than one local authority area. However, following the reorganisation of local government in 1996, a number of constituency boundaries that had come into effect following the Fourth Periodical Review now straddle the new Council boundaries. As a consequence of the change to the structure of local government which was introduced in 1996, there are now 32 Unitary Authorities in Scotland as opposed to the 12 Regions and Islands Areas. It is likely, therefore, that the Commission will feel obliged to make proposals for constituencies which cross Council boundaries, particularly in view of the reduced number of constituencies.<sup>13</sup>

The Boundary Commission announced its provisional recommendations on 7 February 2002:

Changes to the statutory rules, as set out in the Scotland Act 1998, require that, for the first periodical review following the Act, the electoral quota for England (69,934) must be used to establish the appropriate number of Scottish seats; a further change to the rules removes the requirement that there be a minimum number of 71 Scottish seats at Westminster. Applying the electoral quota for England provides a theoretical entitlement to 57 Scottish seats. However, after completing its detailed considerations, the Boundary Commission for Scotland

---

<sup>12</sup> <http://www.bcomm-scotland.gov.uk/news.html>

<sup>13</sup> *Fifth periodical review of Parliamentary constituencies in Scotland: background, processes and procedures*. Boundary Commission for Scotland, 2002, p4

provisionally recommends that there should be 59 Scottish seats at the Westminster Parliament.

In view of the extent of the changes brought about by The Scotland Act, the Commission has decided that details of its provisional recommendations for all Scottish constituencies should be published simultaneously.<sup>14</sup>

Following consultation about its provisional recommendations, the Commission announced its final proposals on 11 December 2003 and confirmed its recommendation that there should be 59 constituencies. A map showing the new constituencies is reproduced in Appendix 2. Before the Commission can report to the Secretary of State for Scotland however, it still has, under Schedule 1 of the 1998 Act, to make recommendations for any alteration in Scottish Parliament regions or the number of their members.

Inevitably, there was much press speculation about the potential impact of the proposals on the party balance of Scottish seats and on sitting MPs, including ministers. In Edinburgh:

The Boundary Commission has confirmed that Mr Darling's Edinburgh Central seat will disappear to reduce the number of constituencies in Edinburgh from six to five....The majority of Dr [Lynda] Clark's constituency will be incorporated into the new Edinburgh South West constituency, along with wards from the Edinburgh Central constituency...The new Edinburgh South West constituency could swing either way at the next Westminster election as it will be home to a mix of traditional Labour and Conservative voters.<sup>15</sup>

and in Glasgow:

Three Glasgow MPs will lose their seats at the next general election as part of a shake-up of constituency boundaries, it was confirmed today. Kelvin's George Galloway, Govan's Mohammed Sarwar and Shettleston's David Marshall are to have their seats axed following a boundary review. A new 'super' constituency of Glasgow Central will be created to replace the seats, drawn from the three areas. Mr Marshall has been told he has 40% of the ward, which will allow him to claim the official Labour nomination...

UK Health Secretary John Reid's Hamilton North and Bellshill seat is one of the casualties. Mr Reid has rejected claims he will accept a safe seat in England following the loss of his constituency. But it was reported today that Cumbernauld and Kilsyth MP Rosemary McKenna could agree to stand down at

---

<sup>14</sup> Boundary Commission for Scotland news release, *Proposals for Revised Parliamentary Constituency Boundaries in Scotland*, 7 February 2002, <http://www.bcomm-scotland.gov.uk/>

<sup>15</sup> "Clark becomes political pawn in plot to keep Darling an MP", *Scotsman*, 12 December 2003

the next election to create a vacancy for Mr Reid. She has previously denied similar reports.

Chancellor Gordon Brown will lose his Dunfermline East seat. It is believed Kirkcaldy MP Lewis Moonie will stand down to allow Mr Brown to contest the new seat of Kirkcaldy and Cowdenbeath.

Other high-profile casualties of the review include Scots Secretary and Transport Secretary Alistair Darling and former Scots Secretary Helen Liddell, whose Airdrie and Shotts seat will be scrapped.<sup>16</sup>

There was criticism of the new Berwickshire, Roxburgh and Selkirk constituency in the *Scotsman*:

There was a mixture of fury and disbelief in the Borders after it was confirmed the Boundary Commission for Scotland had decided to stick with its original plan to remove Tweeddale from the rest of the region. Local opinion favoured a single House of Commons seat covering the 2,000 square miles of Scottish Borders Council's local government territory. But instead there will be a Berwickshire, Roxburgh and Selkirk constituency with 72,430 voters and a Dumfriesshire, Clydesdale and Tweeddale seat with 65,137 electors. According to the Commission the electorate in the Borders was too large for one constituency and they were not 'persuaded to amend the recommendation in response to representations'.<sup>17</sup>

## II The size of the Scottish Parliament

### A. How the Parliament came to have 129 MSPs

The Scottish Constitutional Convention was a gathering together of civic society in Scotland to press the case for Scottish devolution in the late 1980s. Labour and the Liberal Democrats were important participants, but the SNP did not take an active part in the proceedings (because the Convention would not consider the option of independence), and neither did the Conservatives, then in government and opposed to devolution. Its first main report *Toward's Scotland's Parliament: a report to the Scottish people by the Scottish Constitutional Convention* was published in November 1990. This rejected the first-past-the-post system of elections to the Parliament as unrepresentative, but did not propose a specific alternative. The SCC's Executive Committee established a Working Group on Electoral Systems which examined the issues and recommended a Parliament of between 180 and 194 Members. These recommendations were not accepted by the Committee.

---

<sup>16</sup> "MPs Sarwar, Galloway and Marshall face fight as city seats disappear", *Evening Times (Glasgow)*, 11 December 2003

<sup>17</sup> "'Dog's breakfast' attacked", *Scotsman*, 13 December 2003

In the meantime, the committee chaired by Lord Plant, which had been set up to consider the UK Labour Party's policies on different voting systems, had recommended an Additional Member System (AMS) for the Scottish Parliament in its interim report of 1991. The details of the new electoral system then became subject to negotiation between the Liberal Democrats, who favoured the Single Transferable Vote, and the Labour Party which favoured AMS. Following the 1992 general election, the Convention set up the Scottish Constitutional Commission in October 1993 to report on electoral and other matters.<sup>18</sup> The Commission reported in October 1994, with a recommendation for an AMS system of 72 constituency MPs and 40 list MPs.<sup>19</sup> Within the Convention, the Liberal Democrats favoured a larger figure of 145 seats to increase proportionality whereas Labour was content with 112. A compromise of 129 seats was agreed in September 1995.<sup>20</sup> A voluntary agreement was signed between the Labour party and the Liberal Democrats in the Convention to accept the principle that there should be an equal number of men and women as Members of the first Scottish Parliament. Pressure to increase the number of women MSPs was an important aspect of the decision to adopt a proportional representation electoral system.<sup>21</sup>

Just before the 1997 election, the Labour and Liberal Democrat parties conducted a series of meetings about agreeing a common platform for constitutional reform. The Cook/Maclennan Consultative Committee on Constitutional Reform reported on 5 March 1997 on a range of proposals including devolution for Scotland.<sup>22</sup> This did not specify a Parliament of 129 Members, but did specify that the electoral system used should be AMS.

The White Paper, *Scotland's Parliament*, published in July 1997 by the new Labour government followed the principles agreed in the Scottish Constitutional Convention of

- 73 Westminster constituencies (Orkney and Shetland, combined in one Westminster seat, having one member each) and
- 56 list members, composed of seven members from each of the eight regions based on the then existing European parliament constituencies.

---

<sup>18</sup> The Commission was composed of ten eminent Scots not active in party politics

<sup>19</sup> *Further steps towards a scheme for Scotland's Parliament: a report to the Scottish Constitutional Convention*, The Scottish Constitutional Commission, October 1994

<sup>20</sup> "Rivals hail devolution deal", *Scotsman*, 8 September 1995

<sup>21</sup> *Further steps towards a scheme for Scotland's Parliament: a report to the Scottish Constitutional Convention*, The Scottish Constitutional Commission, October 1994

<sup>22</sup> *Report of the joint Consultative Committee on Constitutional Reform*, Labour Party/Liberal Democrats, 1997

It noted:

8.7 The integrity of the UK will be strengthened by common UK and Scottish Parliament boundaries. Responsibility for Scottish Parliamentary electoral arrangements and constituencies will be reserved matters; the Parliamentary Boundary Commission for Scotland will continue in being, and future changes in electoral arrangements for the Scottish Parliament will therefore be a matter for the UK Parliament, subject to consultation with the Scottish Parliament. Any changes in Westminster constituencies will result in changes to Scottish Parliamentary constituencies; and may also lead to consequential adjustments to the size of the Scottish Parliament so as to maintain the present balance between constituency and additional Member seats.<sup>23</sup>

The *Scotland Bill 1997/98* followed the policy set out in the White Paper, and retained the proposal for the number of seats for the Scottish Parliament being 129.

During the passage of the Bill a Lords amendment was tabled to ensure that the size of the Scottish Parliament should remain at 129 members, irrespective of what might happen to the Scottish Westminster constituencies. Speaking against the amendment the then Secretary of State for Scotland, Donald Dewar, stated:

The Government are committed to clause 81 and to undertaking a review of the number of Scottish Members of Parliament at Westminster. It is generally accepted that we cannot justify the above-average representation that Scotland enjoys in the House of Commons. It is anticipated, and I accept, that such a review will lead to a reduction in the number of Scottish Members of Parliament, and correspondingly a reduction in the number of constituencies in Scotland. In the White Paper, we made it clear that the size of the Scottish Parliament would change to take account of changes at Westminster so as to maintain common boundaries.

I should reassure the House that the Government have thought long and hard about the implications for the Parliament of a reduction in its size. We do not believe that such a reduction will make the Parliament less able to carry out its key roles of scrutinising effectively the Scottish Administration's work and enacting legislation.

We are not, on any realistic assessment, contemplating cutting the membership of the Parliament in half, or by a third, or even by a quarter. The reduction would amount to no more than 20 per cent. of the total numbers of seats, on most projections. Even after the review, the Scottish Parliament will still have significantly more than 100 Members.<sup>24</sup>

Dr Liam Fox argued for the amendment on behalf of the Conservative Party:

---

<sup>23</sup> *Scotland's Parliament*, Cm 3658

<sup>24</sup> HC Deb 11 November 1998 Vol 319 c380

...what the Secretary of State is defending today will have precisely the opposite effect to his stated intent. The first thing that will be required to make the Scottish Parliament work properly is stability, but what is guaranteed by what he is defending is instability.

We already know what changes will come about as a result of other parts of the Bill. We know that the number of Scottish Members of Parliament will be reduced from 72 to about 58, if we have the same size electorates that we have for the remainder of the United Kingdom. That is a generally accepted point in the debate. That will reduce the number of Members of the Scottish Parliament by 14 for directly elected seats and eight for top-up. It is not a good basis on which to start a Parliament knowing that, very soon afterwards, possibly within its first term and certainly within its second, there will be a major redistribution.<sup>25</sup>

James Wallace, for the Liberal Democrats, commented that:

We wish to retain larger numbers of MSPs because all parties agree the Secretary of State rightly paid tribute to the work of the consultative steering group, a constructive working group of which I am pleased to be a member that the Scottish Parliament should work very much on a committee basis and that committees will have an important role to play. Those committees must have sufficient numbers to make them worth while. The figure of 129 is important, as it delivers a degree of proportionality that allows for a fair representation of all sections of Scottish political opinion in the Scottish Parliament. I know that the Secretary of State, I have had this discussion with him many times, believes that inserting the ratio of 73 to 56 in the Bill will mean that, when the Parliament is downsized, it will maintain the same degree of proportionality. However, I believe that, if there are fewer additional Members to correct, the level of correction must be lower; therefore, it will not be as proportional.<sup>26</sup>

Speaking against the amendment in the House of Lords Lord Sewel indicated that the issue might need to be revisited in the future:

I return to the basic point. I do not think that the arguments advanced today and at earlier stages come anywhere near to undermining the Government's position. The strange figure of 129 seems almost to have been handed down, carved in stone, "It shall be 129, no more, no less". But it is not a magic figure. The figure came out of a process of discussion, and then building up from a constituency basis. The noble Viscount has already mentioned that at one stage the Liberal Democrats favoured a figure of 145. I was a member of the backroom group known as the constitutional commission. For my sins, I had responsibility for examining the electoral arrangements. I came up with a scheme that produced approximately 110. The number decided upon by the convention was 129, on the basis of using the parliamentary constituency building block. That is the constant unit that runs all the way through the deliberations and discussions. The

---

<sup>25</sup> HC Deb 11 November 1998 Vol 319 c387

<sup>26</sup> HC Deb 11 November 1998 Vol 319 c391

Westminster parliamentary constituency is the building block for representation in the Scottish parliament, and that is added to through the top-up lists. Why do we want the Westminster parliamentary constituency to be the building block? The point is fairly made that it is possible for the two MPs to work effectively together. There is another, equally valid point; namely, that all Members of this House have frequently maintained their support for and commitment to the Union. If that is the case, wherever possible we want to embed the institutions of one regime in the institutions of the other. By maintaining that coterminosity of constituencies, we are embedding the electoral arrangements of the Scottish parliament in the electoral framework of the Union itself, which further strengthens the links between the two.

However, there is one argument that could have merit; namely, that somehow the reduction in numbers would have a major deleterious effect on the effectiveness and working of the parliament. It is an argument that has to be taken seriously. The difficulty with it is that we cannot give a definitive answer before the parliament has at least some experience of running its own institutions and structures.

In that context it is important to realise that the reduction in the size of the Scottish parliament is not something that will occur immediately or overnight. The Scottish parliament will have two full terms of operating with 129 members. That gives it both an opportunity to plan for the reduction and to see what the possible effects may be, in terms of its workings, of a reduction in size.

It might be of comfort to the noble Viscount that we recognise that during that period the parliament might take the view that a reduction in size from 129 to something more than 100 would seriously affect the way it operated. We recognise that through the system of pre-legislative scrutiny and the different ways of working that are being considered under the committee chaired by my honourable friend Mr McLeish, it is possible that there may be arrangements that are totally innovative and require a significant number of people to operate effectively. If that came about - if the parliament took the view that its workings would be seriously undermined by a reduction in numbers - then it is open to the parliament to make representations to the Government of the day and to this Parliament. A thread that we have always accepted is that the electoral arrangements will remain reserved. It would be open to the parliament, in the light of experience - an experience which, by definition, we cannot have now - to say to the Government of the day, "Look, we think we have got a system which works well and effectively. It is in danger of being disturbed in a very deleterious way if this reduction takes place."

The Government are a listening government and are prepared to enter into discussion and debate and to formulate policies on the basis of experience. The opportunity would not be lost, at some time in the future - on the basis of practice - to reopen this question on the initiative of the parliament. On that basis, the Government cannot accept these amendments and would wish to oppose them.<sup>27</sup>

---

<sup>27</sup> HL Deb 17 November 1998 Vol 594 c1195

The amendment was defeated and so the Act contained no provision to ensure that the Scottish Parliament would retain 129 MSPs even if the number of Westminster constituencies was reduced in a future review of parliamentary boundaries. This meant that the statutory position is that, subject to the present Bill, a reduction in the size of the Parliament must ‘automatically’ follow a reduction in the number of Scottish seats in the Commons.

## **B. The consultation exercise on the size of the Scottish Parliament**

### **1. The consultation document**

Following months of comment about the impact on the Scottish Parliament of a possible decrease in numbers from 129 to around 104 MSPs, owing to the statutory requirement to reduce the number of constituency seats and to retain the existing ratio between constituency and regional seats after the next Boundary Commission for Scotland’s review of constituencies, the then Secretary of State for Scotland, Helen Liddell, announced on 6 November 2001 that there would be a consultation exercise on the size of the Scottish Parliament. She emphasised that this would not affect the timetable of the Parliamentary boundary review in Scotland.<sup>28</sup>

As hon. Members are aware, the Scotland Act is designed to produce a reduction in the number of MSPs in the 2007 election and thereafter, following the anticipated reduction in the number of MPs. The Government have made it clear that we would take into account the experience of the first years of the Scottish Parliament's operation and be pragmatic in our response to that. I can therefore announce today that I shortly intend to launch a consultation exercise on the size of the Scottish Parliament. It will not involve any postponement in the boundary commission's on-going review.

The document, *‘The size of the Scottish Parliament: a consultation’* was published by the Scotland Office on 18 December 2001.<sup>29</sup> Views were sought on three questions:

- What would be the consequence of the reduction required by the Scotland Act on the operation of the Scottish Parliament, and in particular on the Committee system, the workload of MSPs, the service provided to constituents and the role of members elected from the list system?
- What practical effect and issues would arise in their relationship as constituency representatives between MPs, MSPs and councillors if the present number of MSPs were to be retained and non-coterminous boundaries between Westminster and the Scottish Parliament constituencies created, and how could any difficulties be overcome?

---

<sup>28</sup> HC Deb 6 November 2001 Vol 374 c91

<sup>29</sup> <http://www.scottishsecretary.gov.uk/Consultations/Consultation%20-%20Final.pdf>

- What are the implications where shared constituency boundaries are not in place for electoral administrators and local authorities in relation to the registration of voters and the conduct of elections, and what would need to be done to ensure the effective and efficient running of the democratic process?

The consultation period ended on 29 March 2002 and a summary of responses was published by the Scotland Office in December 2002.<sup>30</sup>

Responses were received from 28 civic organisations and bodies...and from 95 individual members of the public. Representations were also made by 7 individuals or bodies representing electoral administrators, including the Electoral Commission, and by 21 councils and COSLA. The Scottish Parliament and the Scottish Executive, 2 Parliamentary party groups and 27 individual MSPs replied, as did 1 Westminster party group and 18 MPs, and 3 other Parliamentarians (2 Lords and 1 MEP). Thirty two responses were received from political parties and local constituency organisations.<sup>31</sup>

## 2. The responses

The main political parties, with the exception of the Scottish Conservative Party, wanted to retain 129 MSPs. The Scottish Labour Party believed that this was essential to ensure stability for the Parliament while it was still developing its structures. The Scottish Liberal Democrats said that a reduction in the number of MSPs would have a significant negative effect on the workings of the Parliament, particularly the committee system. Although the political parties would have difficulties with non-coterminous boundaries, the workings of the Parliament were more important than administrative convenience. The Scottish National Party commented that the Scottish Parliament's committee structure already had a heavy workload and fewer MSPs would increase this. The SNP did not see coterminous boundaries as being necessary for good working practices and non-coterminous constituencies should not add confusion to electoral registration and the administration of elections any more than the current system.

The Scottish Conservative Party stated that the Conservative Parliamentary Party at Westminster and the Scottish Conservative MSPs did not believe that the *Scotland Act* should be amended and that the consequential reduction in the size of the Scottish Parliament should take place after the review by the Boundary Commission. The summary of responses outlined the Conservatives' views on the effect on the committee system of the Parliament and the effects of non-coterminous boundaries in Scotland:

They were in no doubt that the committee system of the Parliament could function at least as efficiently with fewer MSPs, and did not believe that a reduction in MSPs would inevitably lead to an unacceptable increase in workload

---

<sup>30</sup> <http://www.scottishsecretary.gov.uk/Consultations/Consultation%20-%20Responses%20draft%202b.pdf>

<sup>31</sup> Ibid

or a reduction in the service provided to constituents. A smaller and more focused government would prove more efficient and provide better value for money for the taxpayer. They believed that although it was possible to have different first-past-the-post constituencies in the two Parliaments, it would be simpler for all concerned if the same boundaries were used. While they would wish to minimise the difficulties for those involved in the administration of elections, constituency boundaries already overlapped with local authority areas and accordingly this was not seen as a significant factor in determining the size of the Parliament.<sup>32</sup>

The Presiding Officer of the Scottish Parliament formally submitted a copy of the Official Report of the Parliament's debate on 27 March 2002 on the consultation document as its response. Following that debate there was a vote and it was agreed, by 100 votes for and 18 against that:

The Parliament notes Her Majesty's Government's consultation paper on the size of the Scottish Parliament; acknowledges the positive progress made by the Parliament and its committees, and considers that the number of elected representatives should remain at 129.<sup>33</sup>

The First Minister and the Deputy First Minister submitted a memorandum on behalf of the Scottish Executive. The Executive argued that there was a strong case for maintaining the current number of MSPs, primarily in the interests of stability but also because it was felt that the Parliament could not function as effectively as it did with a reduced number of members. Overall the Executive believed that:

...that a clear and convincing case could be made for retaining the Parliament at its current size, on the grounds of stability, consensus, workload and fairness.

...The legislative process at Holyrood had attracted favourable comment for the emphasis it placed on meaningful public consultation and scrutiny by the relevant Committee even before Bills were introduced, and the Committees deserved much credit for improving the quality of legislation. Reducing the Parliament's size would involve considerable and unnecessary disruption in the working arrangements it had successfully developed.

The devolution settlement which the UK Government brought into being in 1997 was built on consensus which developed over a long period of discussion and debate. Such a significant change as a reduction in the Parliament's membership from 129 to 106 should not be introduced without a similarly high degree of public and political consensus.

...The Scottish Parliament being unicameral - with only a single Chamber - meant that the role of MSPs, and in particular the Committees, was crucial in

---

<sup>32</sup> Ibid

<sup>33</sup> SPOR Vol 3 no 62 col 10653-10686

scrutinising and improving the quality of legislation. A reduction in numbers would undermine the ability of MSPs to discharge these various roles effectively. Most constituency MSPs would have larger constituencies to serve and backbench MSPs would have to serve on more Committees than at present.

...If the proposed reduction in the size of the Scottish Parliament went ahead, the number of additional Members would be reduced from 56 to around 46. Fewer additional members would mean that the 'top up' system was less likely to produce a result which was proportional, and therefore fair, as between the main parties. There would also be a higher threshold before minor parties could achieve any representation in the Parliament.

...The Executive noted that the concerns about separate boundaries were legitimate, but in its view they were far from decisive. Electors, Returning Officers and the political parties already had to contend with different boundaries (and different electoral systems) for local, Parliamentary and European elections. There was no evidence that in practice this has led to any significant problems. In practical terms, therefore, the Executive did not see any reason why different constituency boundaries between Westminster and Holyrood should give rise to any serious difficulties either for political parties or for the constituents they served.<sup>34</sup>

A response from the Convention of Scottish Local Authorities (COSLA) argued that it was too early to start altering the number of MSPs and that the basis of any review should relate to the practical experience and operation of the Scottish Parliament, rather than changes at Westminster. The Electoral Commission said it had no particular view on the appropriate number of MSPs, nor about the issue of coterminous boundaries, but stated that:

...it would be important in reaching decisions on these to ensure that the needs of the electorate and not administrative issues had priority. It recognised that non-coterminous boundaries between Westminster and Scottish Parliament constituencies could create administrative problems that would need to be overcome. But of more importance...was ensuring a structure under which the electorate could exercise the franchise without undue difficulty or confusion.<sup>35</sup>

### **3. The outcome**

Helen Liddell made a statement on the outcome of the consultation exercise on 18 December 2002:<sup>36</sup>

...I launched last year a consultation to seek views on retaining or adjusting the current statutory link between Westminster and Holyrood parliamentary

---

<sup>34</sup> Ibid

<sup>35</sup> Ibid

<sup>36</sup> HC Deb 18 December 2002 Vol 396 c859-72

constituencies. In particular, the consultation paper sought views on three issues: the consequence of the reduction required by the Scotland Act for the operation of the Scottish Parliament; the practical effect and issues that might arise between MPs, MSPs and councillors if boundaries were not coterminous for Westminster and Holyrood constituencies; and the implications of non-coterminous boundaries for electoral administrators and local authorities in relation to the registration of voters and conduct of elections and for the structure and operation of political parties.

...The purpose of the consultation was to seek to proceed on the basis of the sort of consensus born out of the Scottish Constitutional Convention's scheme for the Scottish Parliament. That broad-based convention was made up of political parties including the Scottish Labour party and the Scottish Liberal Democrats, as well as trade unions, local authorities, Churches, the voluntary sector, business groups and civic Scotland. I made it clear that if the Government were ever to consider amending the Scotland Act, any proposal should seek the same sort of consensus as that which emerged through the convention.

Two strands emerge from the consultation. First, there is the need for stability. Among the civic and representative bodies that responded, the overwhelming view was that the Scottish Parliament should continue to operate with the present number of MSPs.

Secondly, it was acknowledged, not least by electoral administrators, that difficulties could arise if the boundaries for Westminster and Holyrood were not coterminous. Confusion could be caused to voters and there would be problems for political parties in relation to their organisation...I have weighed up carefully all the responses, and in view of the overwhelming body of opinion in favour of maintaining the current number of MSPs, I propose in the interests of stability to seek to amend the Scotland Act accordingly. However, I also take very seriously the concerns about the operation of different boundaries for Westminster and Holyrood. I therefore propose that an independent commission should be established to examine and make recommendations on issues caused by different boundaries for Westminster and Holyrood constituencies.

I expect that, subject to Parliamentary approval, any order giving effect to revised Westminster boundaries should be in place for the next general election, no later than June 2006. Consequently, the new commission, which has the approval of the Scottish Executive and is referred to in their submission, would sit after the 2007 Scottish Parliament elections. Any changes that it might propose to the Scotland Act would be a matter for this Parliament.

Retaining the present number of 129 MSPs requires an amendment to the Scotland Act by way of primary legislation. It will also be necessary to provide for the routine review of Scottish Parliament constituency boundaries. I will be seeking agreement to introduce legislation as soon as parliamentary time allows. Let me make it clear that any change to the Scotland Act will be narrowly drawn. The Government believe that the spirit of the constitutional convention must guide any changes to the legislation. This announcement acknowledges the fact

that, as it approaches the end of its first term, the Scottish Parliament is a hard-working and effective institution committed to serving the needs of the Scottish people. It underpins the stability and success of the constitutional settlement in Scotland, which has strengthened the United Kingdom. I commend this statement to the House.

Jacqui Lait, responding on behalf of the Conservatives, said:

Unlike the Government, the Conservatives have been consistent in wanting a reduction in the number of MSPs. As early as 28 January 1998, my hon. Friend the Member for Woodspring (Dr. Fox) argued for such a reduction in line with the welcome reduction in the number of Scottish MPs. The then Minister, Henry McLeish, supported that. Since then, Conservatives in the Commons, the Lords, and the Scottish Parliament have consistently argued for the Government to uphold the terms of the Scotland Act—which set out the reduction—or, alternatively, for true devolution of power so that the Scottish Parliament could make its own decision. The right hon. Lady may recall that, in 1998, she voted to overturn an amendment to the Scotland Bill that would have had the same effect as her new plans. What specifically has happened in the interim to change her mind?

Is the right hon. Lady aware that similar devolved parliaments elsewhere in the world need fewer members? For instance, in British Columbia, which I visited in the summer, the legislature has greater powers but only 79 members. Will she tell us why the Scottish Parliament needs 129? Will she also tell us why it needs all 17 of its Committees, and why it now needs 23 Ministers when the Scottish Office used to get along nicely with five?

I would be grateful for clarification of the right hon. Lady's statement. Is my reading of it correct that, if her proposed new commission concludes that coterminosity is absolutely essential for the democratic process, she is prepared to retain the 72 Scottish MPs at Westminster? Will she confirm that that number will remain at 72 for the general election to be held by June 2006, and for the subsequent one? Will she also tell us whether she expects to introduce the Bill amending the Scotland Act before or after 1 May 2003?

The Scottish Parliament will only work with public support. The Lib-Lab pact running the Scottish Executive is losing the confidence of the Scottish people. The right hon. Lady knew the first First Minister [Donald Dewar] well, and she may remember him saying, on 11 November 1998, that:

"over the next few years, we shall have experience of the Scottish Parliament in operation and can then assess how dependent it is on having 129 MSPs for its success. I suspect that that will not be a determining factor. What I believe will be the success of the Parliament will depend on its ability to deliver, to respond to Scottish public opinion and to involve Scottish public opinion in its affairs." [Official Report, 11 November 1998; Vol. 319, c. 386.]

The second First Minister [Henry McLeish] said on 12 May 1998 that he believed that the Parliament could operate effectively with fewer Members and that there were good arguments for maintaining the linkage in constituencies. The third First Minister [Jack McConnell] came to office pledging to do less, better. He has failed to do so. How, then, does the right hon. Lady justify keeping more MSPs than envisaged by the Scotland Act? Will this not be a case of more MSPs and more MPs doing worse?

Helen Liddell responded:

First, let me remind her that in November 1998 she voted for a Lords amendment that would have guaranteed 129 not only for the first Scottish Parliament elections, but in perpetuity...

The hon. Lady asks about the independent commission that I propose. That commission will be truly independent. It will have an opportunity to look at all the issues relating to coterminosity, and it will be able to advise on any issue arising from having 129 MSPs and a smaller number of Westminster MPs than at present.

I made available to the hon. Lady a copy of my statement, which makes it quite clear that I envisage that the boundary commission will have reported to me and that an order will have been laid before the House to reduce the number of Members of this House by June 2006, which is the last possible date for a general election. In relation to when that legislation is likely to be introduced to amend the Scotland Act, I would hope that it could be done as soon as parliamentary time allows, but I am not in control of when that might be.

### **C. An independent commission on coterminosity**

In her statement on 18 December 2002, the Scottish Secretary announced that she proposed to establish an independent commission to look at all the issues relating to coterminosity. However the present Secretary of State for Scotland, Alistair Darling, is reviewing the need for such a review and told the Scottish Affairs Select Committee on 2 December 2003:

You will recall that last year when Helen Liddell announced the maintenance of 129 members she, at that time, announced that she was going to set up a commission to look at the whole issue of whether or not it was important and what effect the lack of coterminosity would have and she said that commission would sit from 2007. I have said, on many occasions - I think I was asked about it the last time I was before this Committee - that that is something that I want to look at. Over the last few months there has been quite a lot of debate not just about that but the fact that in Scotland it is likely that we will have four different ways of electing people and that is something you may want to come on to so I will not go any further than that at the moment. I think one of the issues you would look at if you were going to look at voting systems would be the coterminosity of constituencies. You have had a lot of evidence, for example I had a chance to look at Professor Hazel's evidence to you and his view was that it

did not make any difference. As you will know, there are a lot of people, particularly in political parties who attach - for understandable reasons - quite a lot of importance to these things for organisational purposes. I am not in a position today - nor would you expect me to be - to say what I am going to do in respect of that particular part of Helen Liddell's announcement because I think if I am going to do such a thing that should be done on the floor of the House rather than in a Select Committee. If we do look at these things further then clearly the issue of the different constituency boundaries is something that is almost inevitably going to come up because it is something that bothers people.<sup>37</sup>

### III The Scottish Affairs Select Committee inquiry

The Scottish Affairs Select Committee began their inquiry into the *Coincidence of Parliamentary Constituency Boundaries in Scotland and the Consequences of Change* on 6 November 2003. The Committee published their report on 3 February 2004.<sup>38</sup>

The Secretary of State for Scotland, Alistair Darling, appeared before the Committee on 2 December and was asked whether he thought that Schedule 1 to the *Scotland Act 1998* was flawed because of the link it established between the Scottish and Westminster constituencies. He replied:

...if you go back to the first principals, if you like, two things were clear. One is that following devolution - and this is explicitly provided for in Section 86 of the Scotland Act of 1998 - the number of MPs elected from Scottish constituencies to Westminster would come down because that section provided that the electoral quota (which governs the size of the constituency) should be the same in England as it is in Scotland. That has always been the case, and people have known that since 1998. The second thing is that it was not necessarily the case that the number of MSPs would reduce; we said we would keep the thing under review. I do not think anyone should be surprised at what was in the Scotland Bill that we announced last week any more than they should be surprised at the number of MPs being elected to Westminster will go down at the next election. Both these things have been known about for some time. I am not saying people will like it, but that is what the Government said it would do and that is why we introduced the legislation as we did last week.<sup>39</sup>

---

<sup>37</sup> HC 77 2003-04, available at

<http://www.publications.parliament.uk/pa/cm200304/cmselect/cmsscota/uc77-i/uc7702.htm>

<sup>38</sup> Scottish Affairs Select Committee, *Coincidence of Parliamentary Constituency Boundaries in Scotland and the Consequences of Change*, 3 February 2004, HC 77 2003-04

<sup>39</sup> <http://www.publications.parliament.uk/pa/cm200304/cmselect/cmsscota/uc77-i/uc7701.htm>

The Committee commented in its report that it had not been made aware 'of any good case for the current number of MSPs to be either reduced or increased' and that it was satisfied that the number of MSPs should remain at 129.<sup>40</sup>

The President of COSLA, Pat Watters, gave oral evidence to the Committee and called for boundaries in Scotland to be coterminous:

The first thing to say is that moving away from co-terminous boundaries would be something which we believe would not only bring about a bigger local authority but would affect parliamentary quality. We think a bigger constituency covering more local authority areas would be something MPs would find difficult to maintain. More importantly, the co-terminosity of boundaries would affect the electorate and they would think that is more important than the elected members, and we feel it is important to say that. I think there is enough confusion amongst the electorate at the present time without further confusion and seeing problems of not knowing who was representing them. If you look at the present situation in Scotland, we have four different electoral systems for all different levels of government, and we are experiencing the situation where the number of spoilt ballot papers is increasing as a result of people being unsure or uncertain about how they deal with that particular situation.<sup>41</sup>

The Committee agreed with COSLA and the Association of Electoral Administrators that the proposed changes would give rise to confusion amongst electors, especially those living in cross-boundary areas. The Committee therefore recommended that 'the constituency boundaries in Scotland for elections to the United Kingdom and to the Scottish Parliament should remain coterminous.'<sup>42</sup>

The Committee looked at options for retaining 129 MSPs and keeping constituency boundaries coterminous. It recommended that the Electoral Commission should produce detailed proposals for resolving this in time for the next general election to the Scottish Parliament in 2007. The Electoral Commission should also be asked to look at the implications for the electoral process for Scotland of having four different voting systems.

The Secretary of State for Scotland was asked by the Committee whether he envisaged that the second reading and committee stage of the *Parliament (Constituencies) Bill* would be held on the floor of the House. Mr Darling acknowledged that the Bill was a constitutional measure and consequently he expected that it would be taken on the floor of the House. The Committee agreed and made a recommendation accordingly.

The full text of the Committee's conclusions and recommendations can be found in Appendix 3.

---

<sup>40</sup> HC 77, 2003-04, para 5

<sup>41</sup> <http://www.publications.parliament.uk/pa/cm200304/cmselect/cm��otaf/uc77-i/uc7701.htm>

<sup>42</sup> HC 77, 2003-04, para 11

## IV The Bill

### A. Constituencies and regions

Clause 1 subsection (1) provides for the replacement of Schedule 1 of the *Scotland Act 1998* by Schedule 1 of the Bill.

Schedule 1 of the *Scotland Act 1998* made provision for the constituencies, regions and regional members of the Scottish Parliament. The new schedule states that the number of constituencies for the Scottish Parliament will be 73 and that they will be the existing parliamentary constituencies (except for the constituency of Orkney and Shetland) as provided for by Article 2 of, and the schedule to, the *Parliamentary Constituencies (Scotland) Order 1995* (S.I. 1995/1037). The eight regions will each continue to return seven regional list MSPs, thereby preserving the size of the Scottish Parliament at 129 members.

Subsections (2) and (3) deal with the provisions of Schedule 2 which lay down the arrangements which will be necessary in the period before the functions of the Boundary Commission for Scotland are transferred to the Electoral Commission. Under the provisions of the *Political Parties, Elections and Referendums Act 2000* the Parliamentary Boundary Commissions will become part of the independent Electoral Commission when the fifth periodic review is complete. The Boundary Commissions must submit their final reports by December 2006; when their recommendations have been accepted by the Secretary of State and the orders approved by Parliament, an order will be made transferring their functions to the Electoral Commission.

Subsection (4) makes provision for the first review of the Scottish Parliament constituencies and regions. This will not take place until after the next general election to the Scottish Parliament in 2007.

Subsection (5) repeals paragraphs 17 to 24 of Schedule 3 of the *Political Parties, Elections and Referendums Act 2000*. These provisions, which concern the transfer of functions from the Boundary Commission for Scotland to the Electoral Commission, are superseded by the provisions in this Bill.

### B. Current reviews

Clause 2 gives effect to the provisions in Schedule 3 concerning the current review of constituencies which is being carried out by the Boundary Commission for Scotland. The Boundary Commission is required to report not only on the Scottish Westminster boundaries but also to make recommendations for consequential alterations to the regions for elections to the Scottish Parliament. Once the provisions of Clause 1 come into effect and the link between the Scottish Parliament constituencies and regions has been decoupled from the Westminster constituencies any report on these regional boundaries needs to be disappplied.

## **C. Other provisions**

The explanatory notes to the Bill state that its provisions which introduce a regular review of the boundaries of the Scottish Parliament constituencies and regions will place an additional requirement on the Electoral Commission and the Boundary Committee for Scotland from time to time and it is estimated that these periodic reviews will cost in the region of up to £300,000 per annum when active.<sup>43</sup>

The Bill will be brought into force on receiving Royal Assent.

## **D. The Schedules**

Schedule 1 replaces Schedule 1 in the *Scotland Act 1998*. It specifies the constituencies and regions for the purposes of the Scottish Parliament in paragraphs 1 and 2, and provides for the Electoral Commission to review the boundaries of the constituencies and regions. The explanatory notes clarify this in paragraph 17:

Paragraphs 3 and 4 provide for the regular review by the Electoral Commission of the boundaries of the constituencies and regions. Paragraph 3, sub-paragraph (4) requires the first review to be completed and reported on not later than 30 June 2010, and thus some time in advance of the general election to the Scottish Parliament in May 2011. The Electoral Commission are required at the same time as they submit their report to the Secretary of State to lay the report before the Scottish Parliament. The Parliament has no power to reject or to effect changes to the report, although it could debate it. The Secretary of State, as soon as practicable after the Electoral Commission have submitted their report to him, is required to lay that report before Parliament, along with a draft Order in Council for giving effect to the recommendations in the report.

This means that the Scottish Parliament boundaries will not now be reviewed until after the next Scottish general election in 2007. The Scottish Parliament constituencies will therefore not have changed for at least 10 years as the last redistribution took effect at the general election of 1997. In fact, the enumeration date for the fourth review was 1992, so the constituencies are based on electorates which are now 11 years old and will be 15 by 2007.

Paragraphs 12 and 13 set out the rules for the conduct of the constituency and regional reviews in the future. The explanatory notes state:

These rules define how the electorate is to be established for each constituency and region and require the electorates to be similar respectively in each of the

---

<sup>43</sup> Explanatory Notes available at <http://www.publications.parliament.uk/pa/cm200304/cmbills/004/en/04004x--.htm>

constituencies and regions, with the proviso that regard must be had to local authority boundaries, and geography and local ties may be taken into consideration. A constituency must fall wholly within a region.

The constituency rules require the electoral quota to be calculated by dividing the total electorate by 71 (the Orkney Islands and Shetland Islands are omitted because of their disproportionately small electorates), thus ensuring that constituencies have broadly similar electorates. The other rules require the Committee or Commission to take special geographical considerations and inconveniences of change into account in reaching their decisions, and each of the 8 regions have to be composed entirely of 7 constituency seats. The new rules therefore fix the number of seats at 129, and there is no provision for a review of the number of seats at some future date.

Schedule 2 sets out the transitional arrangements that might be needed before the Electoral Commission takes over the functions of the Boundary Commission for Scotland. The explanatory notes state:

The Political Parties, Elections and Referendums Act 2000 provides that the Electoral Commission will in due course take on responsibility for determining Parliamentary electoral boundaries. It will establish four Boundary Committees, one for each part of the United Kingdom - the Scottish Committee will take over the present functions of the Boundary Commission for Scotland. That Commission will cease to exist when the Secretary of State for Scotland directs by order that he is satisfied that the Commission has no further functions to perform. The Government has indicated that the functions of the present Boundary Commissions will not transfer until after they have completed their current reviews.

The provisions of schedule 3 ensure that any recommendations on changes to the regional boundaries included in the report of the Boundary Commission will not be acted upon.

## **V Amending the *Scotland Act 1998***

The Secretary of State for Scotland, Alistair Darling, was asked by the Scottish Affairs Committee on 17 June 2003 whether amendments to the *Scotland Act 1998* other than to the membership of the Scottish Parliament would be allowed in the Bill. He replied:

No. We said that we intend to introduce legislation to deal with the membership. When Mrs Liddell gave her statement she made it clear that it would be tightly drawn. One thing that we are pretty clear about and I am pretty sure we said at the time of the election was that we regarded the 1998 Act as being settled.<sup>44</sup>

---

<sup>44</sup> HC 815-I, 2002-03, available at <http://www.publications.parliament.uk/pa/cm200203/cmselect/cm Scotaf/815/3061701.htm>

In September Macolm Bruce pursued this issue:

**Malcolm Bruce (Gordon):** Does the Secretary of State accept that, given the radical proposals on reducing the number of MPs in Scotland, which my party supports and recognises as a consequence of devolution, it is important to ensure that the matter is resolved clearly and not dragged out to add to the confusion? In the process, will he consider bringing together the review of Westminster and Scottish boundaries to avoid a long period of confusion about different boundaries in different Parliaments, and perhaps also take the opportunity to introduce the single transferable vote for the Scottish Parliament at the same time?

**Mr. Darling:** The hon. Gentleman's question had three parts. It was very clear that once the Scotland Act 1998 was passed, the number of Members of Parliament that Scotland sent to Westminster would be reduced. I have made that clear, as has the Prime Minister, and that is what is going to happen. Indeed, I say that with some feeling, as I am quite directly affected by some of the recommendations made by the boundary commission.

When the boundary commission reports is a matter for it, as it is independent of government, but it has said that it will probably have finished its review of the Westminster constituencies at the beginning of next year. The House will also be aware that, at the moment, its terms of reference mean that it will go on to look at the consequential effects for the Scottish Parliament. As we are going to legislate to maintain 129 Members of the Scottish Parliament, that work will not be necessary, but I hope that that will not hold up the reorganisation of Westminster parliamentary constituencies.

Voting systems will be a matter of discussion, especially among the parties in Scotland. I know that there are concerns not only about individual systems but about the fact that four different systems will be in operation in Scotland. I am sure that all of us, no matter what political party we belong to, will have thoughts about that, but it is something that needs to be discussed in Scotland. For the avoidance of doubt, I can tell the House that the only legislation that we are contemplating at the moment will maintain the 129 Members. We are not contemplating any other legislation at the moment, but that is not to say that debate about these matters will not take place over the next few months and years.<sup>45</sup>

Press reports have suggested that a Bill which directly amends the *Scotland Act 1998* might give an opportunity for other changes to be made. For example:

The SNP yesterday said it would propose clauses which would give the Scottish Executive extra powers – including fiscal autonomy and powers over Holyrood. These are certain to be defeated.<sup>46</sup>

---

<sup>45</sup> HC Deb, 9 September 2003 Vol 410 c153

<sup>46</sup> "Plot to end Scots MPs voting on English bills", *Scotsman*, 27 November 2003

The Scottish Parliament's Procedures Committee discussed the provisions of the Bill at its meeting on 16 December 2003. The Committee debated whether the Bill offered any opportunity to seek other changes to the *Scotland Act*. A note by the Clerk to the Committee suggested areas where other reforms to the Scottish Parliament were desirable:

An example of the changes that might be sought related to section 19(1) of the Act, which specifies that there shall be two Deputy Presiding Officers. This, it was suggested, might be re-visited to enable the Parliament to appoint a third DPO if (for example) the Presiding Officer is unavailable for a period due to illness. Other possible changes might involve loosening some of the provisions of the Act requiring certain matters to be covered in standing orders, to give the Parliament more control over its own procedure.<sup>47</sup>

However, the Clerk went on to acknowledge that the Bill's scope was very narrow and limited to the single subject of Scottish Parliament constituencies:

On that basis, it would appear that there is no prospect of this Bill being open to amendment to achieve unrelated changes to the Scotland Act.<sup>48</sup>

In October a number of articles in issue no 97 of *Holyrood*, the magazine for the Scottish Parliament, discussed various other possibilities for reform. These included:

- The creation of a Scottish Civil Service. The civil service remains a reserved matter although there is a precedent for devolving the bureaucracy as Northern Ireland has had its own civil service since the 1920s.<sup>49</sup>
- The ability of the Scottish Parliament to change names and titles which have been prescribed in the Act and to reform its own procedures.<sup>50</sup>
- Changes to the electoral system for the Scottish Parliament especially the AMS system for electing the regional MSPs. There have been calls for the Single Transferable Vote system to be introduced for the election of all the Parliament's MSPs.<sup>51</sup>
- Greater financial powers for the Parliament.<sup>52</sup>

---

<sup>47</sup> <http://www.scottish.parliament.uk/procedures/papers/prp03-09.pdf>

<sup>48</sup> Ibid

<sup>49</sup> Barry K Winetrobe, "Cleaning up the Act", *Holyrood*, 20 October 2003

<sup>50</sup> Ibid

<sup>51</sup> Elaine Gibb, "System change", *Holyrood*, 20 October 2003

<sup>52</sup> Ian Bell, "Amend the Act", *Holyrood*, 20 October 2003

## VI The West Lothian Question

The term West Lothian Question is the name by which the representational paradoxes created by devolution within the United Kingdom are known. It received its name following a campaign by Tam Dalyell, then Labour MP for West Lothian, against Labour's attempt to introduce devolution for Scotland and Wales in the late 1970s.

Tam Dalyell set out his argument in some detail in his 1977 book *Devolution: the end of Britain?* He asserted that:

if the United Kingdom is to remain in being, then there can be no question but that the Scottish constituencies must continue to be represented at Westminster .... Yet once the Assembly had come into being, and was legislating for those areas that had not been reserved to the United Kingdom Government, the position of the seventy-one Scottish Westminster MPs would become awkward and invidious. Their credibility - like those of their counterparts in the Assembly - would be deeply suspect, simply because there would be so many areas of concern to their electors on which they could not pronounce.

The issue came to the fore again in recent months after the report stage of the *Health and Social Care (Community Health and Standards) Bill 2002-0*. Much of the media coverage at the time concentrated on the backbench rebellion over foundation hospitals in England and commented that the Government only had a majority because of the votes of the Scottish Labour MPs. Philip Cowley, lecturer at Nottingham University's School of Politics disagreed with this:

...it is not true to claim that last night's Government victory was only achieved due to the support of Scottish Labour MPs. While it is true that there were 41 Scottish Labour MPs in the Government lobby (though most reports say only 40) — more than the number by which the Government won — there were also three Scottish Labour, nine Scottish Lib Dems and five SNP MPs in the other lobby." Philip Cowley added that the logic that argues that it is wrong for Scottish MPs to vote with the Government also precludes them from opposing it. "If you remove all Scottish MPs from Tuesday's vote, the Government would have won with a majority of just eight (245 to 237). Whatever one's views on the West Lothian Question, last night's vote was not an example of legislation being forced on the English due to Scottish votes," he said. It is true that had the vote been confined solely to English MPs, then the Government would have lost. Excluding Scottish and Welsh MPs would have resulted in a Government defeat by a majority of ten. (Excluding Scots, Welsh and Northern Irish MPs and the margin of defeat would have been five). Cowley added: "But it is the nature of the devolution settlement in Scotland that gives rise to the so-called West Lothian question, and leads some to suggest that Scottish MPs should not vote on matters that apply only South of

the border. It is much more debatable whether that argument applies with the same force to Welsh MPs."<sup>53</sup>

The Leader of the Conservative Party, Michael Howard, has called for Scottish MPs at Westminster to be banned from voting on matters that relate solely to England.

Michael Howard, the Tory leader, has made a personal plea to Scottish MPs from all parties to stand aside from the tuition fees debate in Westminster on the grounds that it only affects England. Peter Duncan, the shadow Scotland secretary and the sole Tory MP in Scotland, has said he will stand aside from the debate with Mr Howard's endorsement rather than add to the band of Labour rebels out to defeat the government. But he has been flatly contradicted by all other political parties who argue that, unlike the vote on foundation hospitals, Mr Blair's tuition fees policy will have profound ramifications across the UK as it will rebalance the country's higher education system. Mr Howard said his party's principle - that Scottish MPs should not vote on England-only matters - is more important than his immediate objective of defeating the government's plans. "It would be absolutely wrong for the vote on top-up fees to be decided by the votes of Members of Parliament from Scotland. They are not going to have top-up fees in Scotland," he said. "And for Members of Parliament from Scotland to impose top-up fees on England and Wales would be quite unacceptable. It may be decided by a single vote, but our MP from Scotland will not take part and I challenge the other parties to adopt a similar position."<sup>54</sup>

On 21 January 2004 the issue was raised by the Conservatives in an Opposition Day debate on the voting rights of Members of Parliament representing Scottish constituencies.<sup>55</sup> Peter Duncan opened the debate:

The motion is about ensuring that devolution works. The Scottish Parliament is here to stay—all £400 million-worth of it...The only other option for Scotland is to follow the policies of separatism and independence, so often rejected by the Scots electorate. We wish to give no further oxygen to the separatists and nationalists, and that is why we want to draw the attention of the House to the Government's continued failure to address the West Lothian question.<sup>56</sup>

He went on to offer a solution to the question:

...there is a simple resolution to the problem. The Speaker should certificate which Bills are, or are not, devolved, and Members of Parliament from Scotland should vote accordingly.<sup>57</sup>

---

<sup>53</sup> <http://www.nottingham.ac.uk/public-affairs/press-releases/index.phtml?menu=pressreleases&sub=9403>

<sup>54</sup> "Howard: Scots MPs should not have a vote on tuition fees", *Scotsman*, 12 January 2004

<sup>55</sup> HC Deb 21 January 2004 Vol 416 cc1389–1443

<sup>56</sup> Ibid c1389

<sup>57</sup> Ibid c1393

The Parliamentary Under-Secretary of State for Scotland, Mrs Anne McGuire, responded to this:

I just want to deal with one final point that the hon. Member for Galloway and Upper Nithsdale [Peter Duncan] raised. He said that he wanted the Speaker to have a power to tag some Bills geographically. The hon. Gentleman assumes that that would be a neat solution, but like so many of the Tories' neat solutions, from the poll tax to the botched privatisation of the railways, it is not simple at all. At best, it would be extremely complex to administer and, moreover, we would be in danger of prejudicing the impartiality of the Chair. How would the Speaker tag the Second Reading of the Higher Education Bill, for example, which contains issues that undoubtedly impact on Scotland? And what if the majority of the House thought that the Speaker was wrong?

Mrs McGuire continued:

Why do the Opposition talk only about the voting rights of Scottish MPs? Why is there no mention of colleagues from Wales who vote on matters that are devolved to Wales? Why not question the voting rights of hon. Members from Northern Ireland who vote on Great Britain matters that will not extend to Northern Ireland? The reason, of course, is not the fact that Members with Scottish constituencies vote; it is how the majority of them vote that really irritates the Opposition.

The motion is not constitutional. It is an attempt by the Tories to gerrymander votes in the House to their own political ends. Members on the Labour Benches believe that we remain a United Kingdom Parliament and that, as such, we shall not move into a realm where there are first and second-class Members of the House.<sup>58</sup>

Speaking later in the debate David Trimble, leader of the Ulster Unionists, commented:

While economic powers on taxation and public expenditure are concentrated in Westminster, the West Lothian question is essentially illusory. The essential power to determine financing rests here and is reinforced by the joint ministerial committees, which are not mentioned very much but which are significant tools used by Whitehall to ensure close co-ordination of policy across the United Kingdom...

The point is further reinforced by the fact that people's expectations in Northern Ireland, Wales and Scotland are determined by Government policies. Public opinion generated significant pressure in Northern Ireland, although things may be different in Scotland. Public opinion was generated by policy that was originally introduced in England and Wales, and much of the pressure on us was to read across policies as quickly as possible. The distinctions that have been drawn about those matters are quite wrong...

---

<sup>58</sup> Ibid c1403

A further, simple point is that we are all elected to this Parliament, which has particular powers. We are elected not to be regional or parochial, but to use our judgment as best we can on all the issues that come before us. Even if a matter relates exclusively to part of England, I sometimes feel that I can make a contribution and improve the quality of decision making both for the whole of the United Kingdom and for particular parts of it.<sup>59</sup>

---

<sup>59</sup> Ibid c1420

## Appendix 1: Table showing Scottish representation in the House of Commons since 1707

### Scottish representation in the House of Commons since 1707

	Seats		Population			Electorate			Representation		
	Scottish seats	UK seats	Scottish share	Scottish population	UK population	Scottish share	Scottish electorate	UK electorate	Scottish share	Scottish seat share/ pop share	Scottish seat share/ elec share
1707	45	558	8.1%	1,040,000	6,866,000	15.1%	...	...	...	0.53	...
1800	45	658	6.8%	1,599,000	15,972,000	10.0%	4,500	...	...	0.68	...
1832	53	658	8.1%	2,364,386	24,028,584	9.8%	64,447	812,938	7.9%	0.82	1.02
1868	60	658	9.1%	3,360,018	31,484,661	10.7%	240,624	2,484,713	9.7%	0.85	0.94
1885	72	670	10.7%	3,735,573	34,884,848	10.7%	573,409	5,708,030	10.0%	1.00	1.07
1918	74	707	10.5%	4,882,497	47,088,859	10.4%	2,232,666	21,392,322	10.4%	1.01	1.00
1922	74	615	12.0%	4,882,497	44,021,747	11.1%	2,261,944	20,874,456	10.8%	1.08	1.11
1945	74	640	11.6%	5,096,415	50,225,224	10.1%	3,406,701	33,240,391	10.2%	1.14	1.13
1950	71	625	11.4%	5,096,415	50,225,224	10.1%	3,370,190	34,412,255	9.8%	1.12	1.16
1955	71	630	11.3%	5,096,415	50,225,224	10.1%	3,387,536	34,852,179	9.7%	1.11	1.16
1974	71	635	11.2%	5,228,963	55,514,603	9.4%	3,655,621	39,753,863	9.2%	1.19	1.22
1983	72	650	11.1%	5,130,735	55,679,919	9.2%	3,886,899	42,192,999	9.2%	1.20	1.20
1996	72	659	10.9%	5,146,000	58,784,000	8.8%	3,965,318	43,848,582	9.0%	1.25	1.21
post 2006*	59	646	9.1%	5,084,000	58,837,000	8.6%	3,984,000	44,403,000	9.0%	1.06	1.02

Note: 1832 to 1983 populations taken from nearest census year; OPCS, Census Report for Great Britain 1991

\* Post 2006 figures - Scotland's allocation of seats reduced by 13 seats, therefore total UK seats = 646, assuming no change in England, Wales and Northern Ireland

Sources: 1707 to 1996: McLean, I., "Are Scotland and Wales over-represented?" in *Political Quarterly* 66:4 (1995)

2002: Office for National Statistics *Annual Abstract of Statistics 2003*

## **Appendix 2: Conclusions and recommendations of the Scottish Affairs Committee<sup>60</sup>**

### **The Size of the Scottish Parliament**

1. During its evidence sessions, the Committee was not made aware of any good case for the current number of MSPs to be either reduced or increased. We are satisfied, therefore, that the number of MSPs should remain, for the time being, at 129. (Paragraph 5)

### **Coterminosity of Constituency Boundaries**

2. The Committee considers the convenience of the electorate to be paramount. Based on the evidence we have received, we recommend that, in order to avoid possible confusion, the constituency boundaries in Scotland for elections to the United Kingdom and to the Scottish Parliament should remain coterminous. (Paragraph 11)

3. The Committee expects the Electoral Commission to produce its detailed proposals in time for the election to the Scottish Parliament in 2007 to be conducted under the new arrangements. It is, therefore, imperative that the Commission starts its work without delay, and that it presents its findings to the Secretary of State for Scotland who should take the final decision based on all available information. (Paragraph 15)

### **Voting Systems and Methods**

4. The Committee considers that, as well as looking into the matter of coterminous boundaries, the Electoral Commission should look also at the implications for the electoral process of Scotland having four different voting systems. There may well be good reasons why, for example, elections to Westminster need a different system than elections to the Scottish Parliament, but we are not convinced that every type of election needs a different voting system. (Paragraph 23)

### **The Scottish Parliament (Constituencies) Bill**

5. We agree with the Secretary of State for Scotland that, as the Scottish Parliament (Constituencies) Bill is a constitutional measure, both its second reading and its committee stage should be taken on the Floor of the House, and we so recommend. (Paragraph 30)

---

<sup>60</sup> *Coincidence of Parliamentary Constituency Boundaries in Scotland and the Consequences of Change, HC 77 2003-04*

## Appendix 3: Maps

This appendix provides a series of maps of the current constituency boundaries and the final recommendations of the Boundary Commission for Scotland.

page 39 (facing)	Constituency codes and names (with corresponding Scottish Parliament region codes) and inset map of existing Scottish Constituencies
Page 40	Map showing existing Scottish & UK Parliament constituencies and Scottish Parliament region boundaries (with insets for Edinburgh, Glasgow, Orkney and Shetland Islands)
Page 41	Reproduction of Boundary Commission for Scotland's map showing their final recommendations (this map is also available, on the Commission's website, <sup>1</sup> and at a higher resolution)

More detailed maps of the individual constituencies, listed by local authority, are also available from the Commission's website.<sup>2</sup>

---

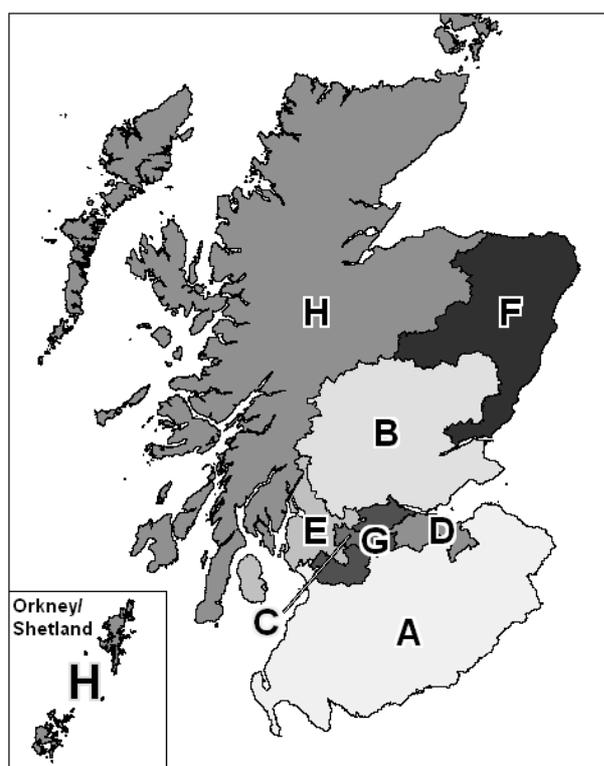
<sup>1</sup> See [http://www.bcomm-scotland.gov.uk/localinquiries/scotland/Scotland\\_final\\_recs\\_darkshading\\_A2.pdf](http://www.bcomm-scotland.gov.uk/localinquiries/scotland/Scotland_final_recs_darkshading_A2.pdf)

<sup>2</sup> See <http://www.bcomm-scotland.gov.uk/localinquiries/final.htm>

**Scottish & UK Parliament Constituencies\***

ID	Constituency name	Region	ID	Constituency name	Region
1	Falkirk East	G	31	Stirling	B
2	Kilmarnock and Loudoun	G	32	Perth	B
3	East Kilbride	G	33	North Tayside	B
4	Hamilton South	G	34	Central Fife	B
5	Hamilton North and Bellshill	G	35	Angus	F
6	Airdrie and Shotts	G	36	Dundee West	F
7	Cumbernauld and Kilsyth	G	37	Dundee East	F
8	Falkirk West	G	38	Aberdeen Central	F
9	Motherwell and Wishaw	G	39	Aberdeen North	F
10	Coatbridge and Chryston	G	40	Tweeddale, Ettrick and Lauderdale	A
11	Glasgow Maryhill	C	41	Roxburgh and Berwickshire	A
12	Glasgow Cathcart	C	42	Clydesdale	A
13	Glasgow Rutherglen	C	43	Dumfries	A
14	Glasgow Baillieston	C	44	Cunninghame South	A
15	Glasgow Govan	C	45	Dumbarton	E
16	Glasgow Pollok	C	46	Eastwood	E
17	Glasgow Anniesland	C	47	West Renfrewshire	E
18	Glasgow Shettleston	C	48	Strathkelvin and Bearsden	E
19	Glasgow Kelvin	C	49	Paisley South	E
20	Glasgow Springburn	C	50	Greenock and Inverclyde	E
21	Midlothian	D	51	Paisley North	E
22	Livingston	D	52	Clydebank and Milngavie	E
23	Linlithgow	D	53	Galloway and Upper Nithsdale	A
24	Edinburgh Pentlands	D	54	East Lothian	A
25	Edinburgh South	D	55	North East Fife	B
26	Edinburgh Central	D	56	Ross, Skye and Inverness West	H
27	Edinburgh North and Leith	D	57	Western Isles	H
28	Edinburgh East and Musselburgh	D	58	Edinburgh West	D
29	Dunfermline West	B	59	West Aberdeenshire and Kincardine	F
30	Ochil	B	60	Gordon	F
			61	Inverness East, Nairn and Lochaber	H
			62	Dunfermline East	B
			63	Banff and Buchan	F
			64	Shetland Islands	H
			65	Carrick, Cumnock and Doon Valley	A
			66	Ayr	A
			67	Kirkcaldy	B
			68	Cunninghame North	E
			69	Moray	H
			70	Caithness, Sutherland and Easter Ross	H
			71	Aberdeen South	F
			72	Argyll and Bute	H
			73	Orkney Islands	H

© Crown copyright. All rights reserved  
House of Commons Library 100040654 (2004)



\* The Scottish parliamentary constituencies Shetland and Orkney Islands make up the Orkney & Shetland UK parliamentary constituency.

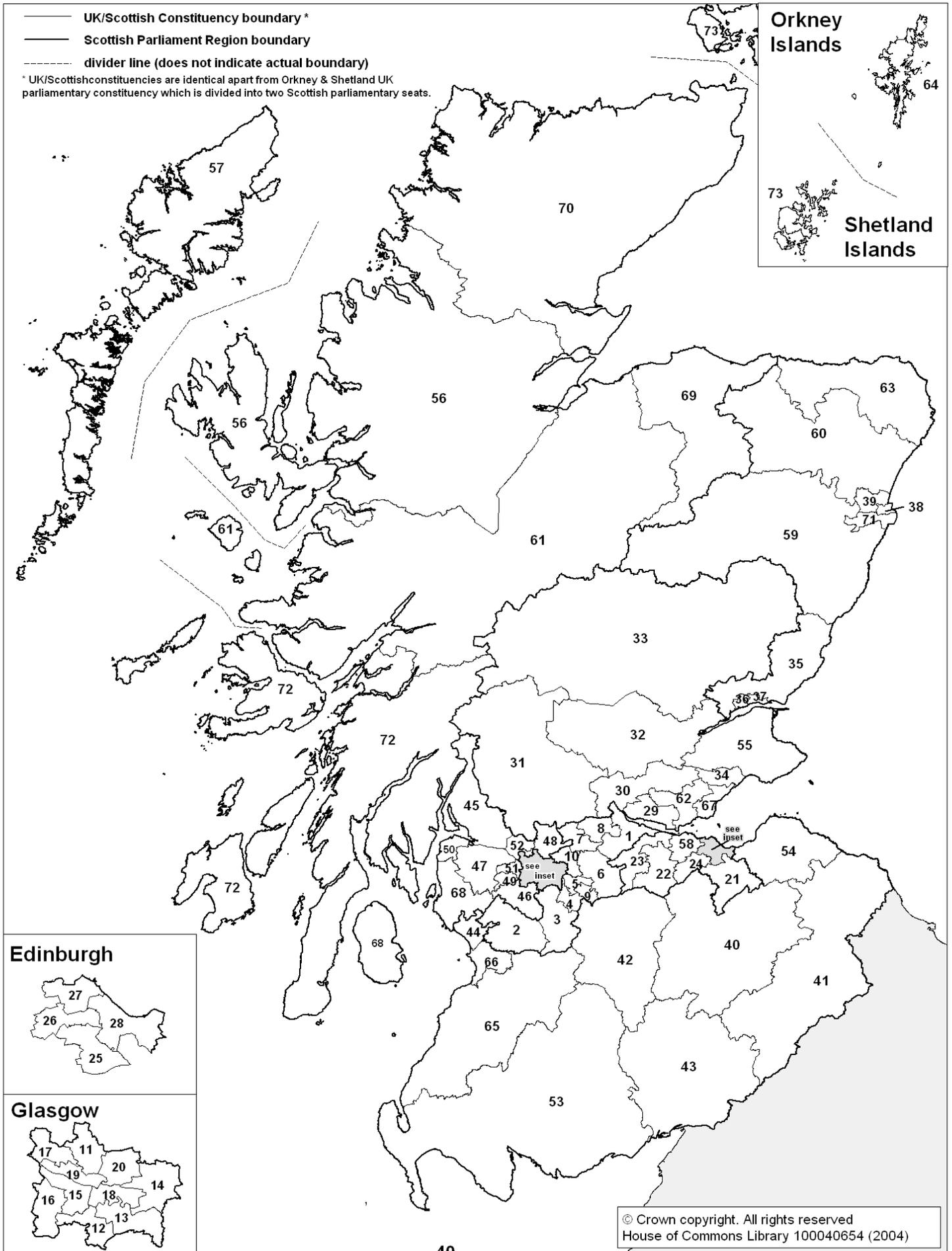
**Scottish Parliament Electoral Regions**

- A South of Scotland
- B Mid Scotland and Fife
- C Glasgow
- D Lothians
- E West of Scotland
- F North East Scotland
- G Central Scotland
- H Highlands and Islands

# Existing Scottish & UK Parliament constituencies, & Scottish Parliament regions

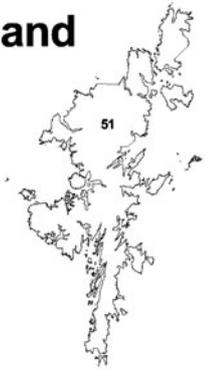
Prior to the Boundary Commission for Scotland's final recommendations

(see p39 for constituency numbers/names listings)



# Fifth Periodical Review of Parliamentary Constituencies - Scotland

## Final Recommendations

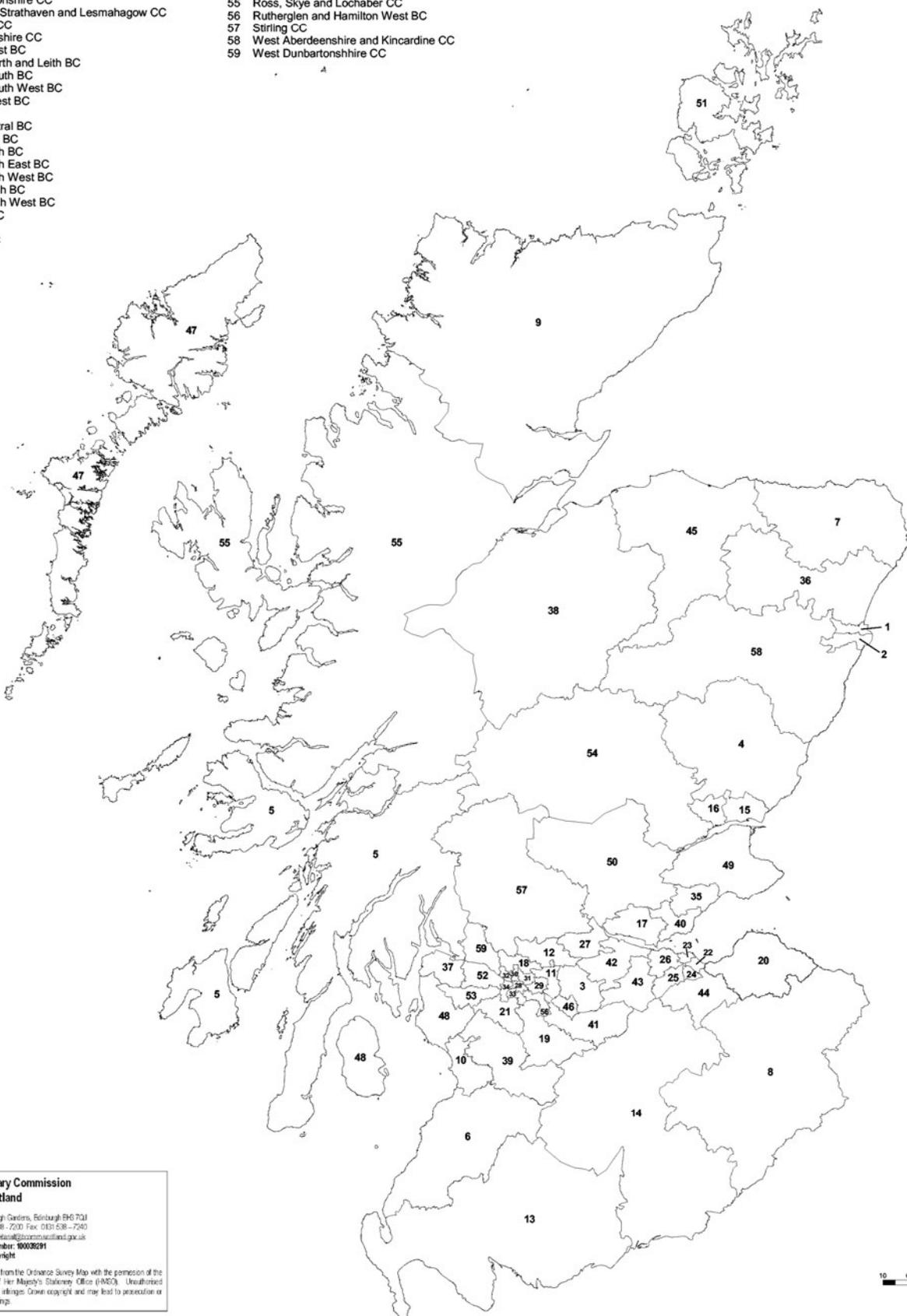


Constituency Name

Constituency Name

- 1 Aberdeen North BC
- 2 Aberdeen South BC
- 3 Airdrie and Shotts CC
- 4 Angus CC
- 5 Argyll and Bute CC
- 6 Ayr, Carrick and Cumnock CC
- 7 Banff and Buchan CC
- 8 Berwickshire, Roxburgh and Selkirk CC
- 9 Caithness, Sutherland and Easter Ross CC
- 10 Central Ayrshire CC
- 11 Coatbridge, Chryston and Bellshill BC
- 12 Cumbernauld, Kilsyth and Kirkintilloch East CC
- 13 Dumfries and Galloway CC
- 14 Dumfriesshire, Clydesdale and Tweeddale CC
- 15 Dundee East BC
- 16 Dundee West BC
- 17 Dunfermline and West Fife CC
- 18 East Dunbartonshire CC
- 19 East Kilbride, Strathaven and Lesmahagow CC
- 20 East Lothian CC
- 21 East Renfrewshire CC
- 22 Edinburgh East BC
- 23 Edinburgh North and Leith BC
- 24 Edinburgh South BC
- 25 Edinburgh South West BC
- 26 Edinburgh West BC
- 27 Falkirk CC
- 28 Glasgow Central BC
- 29 Glasgow East BC
- 30 Glasgow North BC
- 31 Glasgow North East BC
- 32 Glasgow North West BC
- 33 Glasgow South BC
- 34 Glasgow South West BC
- 35 Glenrothes CC
- 36 Gordon CC
- 37 Inverclyde CC

- 38 Inverness, Nairn, Badenoch and Strathspey CC
- 39 Kilmarnock and Loudoun CC
- 40 Kirkcaldy and Cowdenbeath CC
- 41 Lanark and Hamilton East CC
- 42 Linlithgow and East Falkirk CC
- 43 Livingston CC
- 44 Midlothian CC
- 45 Moray CC
- 46 Motherwell and Wishaw BC
- 47 Na h-Eileanan an Iar CC
- 48 North Ayrshire and Arran CC
- 49 North East Fife CC
- 50 Ochil and South Perthshire CC
- 51 Orkney and Shetland CC
- 52 Paisley and Renfrewshire North CC
- 53 Paisley and Renfrewshire South CC
- 54 Perth and North Perthshire CC
- 55 Ross, Skye and Lochaber CC
- 56 Rutherglen and Hamilton West BC
- 57 Stirling CC
- 58 West Aberdeenshire and Kincardine CC
- 59 West Dunbartonshire CC



**Boundary Commission for Scotland**

3 Drumheugh Gardens, Edinburgh EH6 7QJ  
 Tel: 0131 538 7200 Fax: 0131 538 7240  
 e-mail: [scotland@boundaries.scot.nhs.uk](mailto:scotland@boundaries.scot.nhs.uk)  
 License Number: 90002691

**Crown Copyright**

Reproduced from the Ordnance Survey Map with the permission of the Controller of Her Majesty's Stationery Office (HMSO). Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

