

Second Review of Scottish Parliament Boundaries Local Inquiries

Action Required

1. The Commission is invited to consider background information on local inquiries, the outcomes from local inquiries during the First Review and preparations for local inquiries for the Second Review.
2. Papers considering the groupings of constituencies and responses to the consultation on constituency boundaries will discuss whether the Commission needs to or should conduct a local inquiry in that locality or not.

Legislation – local inquiries

3. An extract from the Scotland Act 1998 (as amended), Schedule 1 regarding local inquiries is at Appendix A.
4. In summary, the legislation states the Commission must hold a local inquiry if representations objecting to the proposals are received either from a local authority for part or all of the area of the affected constituency, or from a body of 100 or more parliamentary electors for the affected constituency. The Commission can also choose to hold one in a particular area if it would find it helpful.

Assistant Commissioner – local inquiries

5. The inquiry is conducted by an Assistant Commissioner appointed by Scottish Ministers. No statutory procedure is prescribed for the conduct of a local inquiry. The purpose is to:
 - hear local opinions;
 - hear criticisms of or support for the provisional proposals;
 - receive counter-proposals; and
 - enable everyone who wishes to comment on these or on the proposals to do so.
6. The Assistant Commissioner sends a report to the Commission. Apart from commenting on various objections received, the Assistant Commissioner is

at liberty to suggest amendments or alterations to the proposals, or to substitute completely different proposals if these appear to command wider acceptance than the original proposals. A copy of the Assistant Commissioner's report is published on the Commission's website.

First Review – local inquiries

7. During the First Review over 5,000 representations were received during the consultation on Provisional Proposals for constituency boundaries.
8. 10 Local Inquiries were held at 16 different locations. Local inquiries were held when a Council had objected to the proposals or over 100 respondents had commented on them. All of the local inquiries were required, except in Fife, when the Commission agreed to hold a local inquiry when over 100 responses had opposed two neighbouring constituencies, rather than 100 responses opposing a single constituency.
9. Only four mainland council areas contained no constituencies which were the subject of a Local Inquiry: Dundee City; Falkirk; Glasgow City; and North Ayrshire Council areas.
10. In some areas it was not possible to adopt the Assistant Commissioners (AC) conclusions due to their impact over the wider area. Some Assistant Commissioners simply made comments on the local inquiries rather than providing recommendations.
11. One local inquiry was held following the consultation on region boundaries. The Commission adopted the Assistant Commissioners' recommendations there.
12. Appendix B provides a brief summary of the local inquiries held during the First Review. The Secretariat can provide further information on these if required.

First Review – local inquiries – legal advice

13. The Commission is invited to note the legal advice received on the scope of Local Inquiries during the First Review.

14. Following the consultation of provisional proposals for constituency boundaries the Secretariat sought legal advice on a number of issues.

15. The issues were summarised into three questions:

- to what extent can the scope of a Local Inquiry be limited?
- can the scope be limited to certain constituencies?
- can the scope be limited to the effects of particular issues raised in the representations even where these occur beyond the immediately affected constituencies?

16. The Commission is invited to note the response to these questions from the Office of the Solicitor to the Advocate General in Appendix C.

Briefing materials for Assistant Commissioners

17. The Commission are invited to note a list of briefing materials for Assistant Commissioners conducting Local Inquiries at Appendix D and provide suggestions for any other items to be added to this list.

Draft Statement by the Commission to the Local Inquiry

18. The Commission are invited to comment on a draft generic statement at Appendix E.

19. The statement will be tailored for each specific grouping of constituencies.

Local Inquiry Booklet

20. A Local Inquiry guidance booklet was produced during the First Review. An updated version has been drafted for comment at Appendix F.

Summary

21. The Commission is invited to note the outcomes from the local inquiries held during the First Review and provide feedback and any suggestions for local inquiries for the Second Review.

Extract from Scotland Act 1998 (as amended), Schedule 1

Local inquiries

9 (1) Boundaries Scotland may if it thinks fit cause a local inquiry to be held
in respect of any constituency or constituencies.

(2) If Boundaries Scotland receive any relevant representations objecting to a proposed recommendation for the alteration of a constituency it must not make the recommendation unless since the publication of the notice under paragraph 7(2) a local inquiry has been held in respect of the constituency.

(3) If a local inquiry was held in respect of the constituency before the publication of the notice under paragraph 7(2), sub-paragraph (2) above does not apply if Boundaries Scotland after considering—

- (a) the matters discussed at the inquiry,
- (b) the nature of the relevant representations received, and
- (c) any other relevant circumstances,

think that a further local inquiry is not justified.

(4) A relevant representation is a representation made in accordance with paragraph 7(2)(b)—

- (a) by the council for an area which is wholly or partly comprised in the constituency;
- (b) by a body of not less than 100 persons entitled to vote as electors at an election for membership of the Parliament held in the constituency.

10 (1) Boundaries Scotland may if it thinks fit cause a local inquiry to be held
in respect of any region or regions.

(2) If Boundaries Scotland receive any relevant representations objecting to a proposed recommendation for the alteration of a region it must not make the recommendation unless since the publication of the notice

under paragraph 7(2) a local inquiry has been held in respect of the region.

(3) If a local inquiry was held in respect of the region before the publication of the notice under paragraph 7(2), sub-paragraph (2) above does not apply if Boundaries Scotland after considering—

- (a) the matters discussed at the inquiry,
- (b) the nature of the relevant representations received, and
- (c) any other relevant circumstances,

think that a further local inquiry is not justified.

(4) A relevant representation is a representation made in accordance with paragraph 7(2)(b)—

- (a) by the council for an area which is wholly or partly included in the region;
- (b) by a body of not less than 500 persons entitled to vote as electors at an election for membership of the Parliament held in any one or more of the constituencies included in the region.

11 Section 210(4) and (5) of the Local Government (Scotland) Act 1973 (c.
69) (attendance of witnesses at inquiries) applies in relation to a local inquiry held under paragraph 9 or 10.

Summary of local inquiries held during First Review of Scottish Parliament Boundaries

First Review – Local Inquiries

Council areas	Reason for Inquiry	Dates and Venues	Outcome
Perth and Kinross	Received 11 comments. Perth and Kinross Council objected.	20, 21 August 2008 AK Bell Library, Perth	Agreed with AC – no changes to provisional proposals were required.
Argyll and Bute East Renfrewshire Inverclyde Renfrewshire West Dunbartonshire	Received 1,600 comments. Objections from Argyll and Bute, East Renfrewshire, Renfrewshire, West Dunbartonshire Councils	26, 27, 28 August 2008 Paisley Sheriff Court, Paisley 1, 2 September 2008 Clydebank Town Hall, Clydebank	Agreed revised proposals that addressed points raised by AC.
City of Edinburgh	Received 300 comments.	9 September 2008 Lothian Chambers, Edinburgh	Agreed to adopt suggestion from AC.
Fife	Received 110 comments.	15, 16 September 2008 Fife House, Glenrothes	AC found it difficult to make a recommendation. Commission made no changes to provisional proposals.

Boundaries Scotland

Council areas	Reason for Inquiry	Dates and Venues	Outcome
<p>East Ayrshire East Dunbartonshire North Lanarkshire South Ayrshire South Lanarkshire West Lothian</p>	<p>Received 1,290 comments. 780 commented on Lanarkshire proposals. Objections from East Ayrshire, North Lanarkshire, South Lanarkshire and West Lothian Councils</p>	<p>23, 24 September 2008 Sir John Wilson Town Hall, Airdrie 26, 29 September 2008 County Buildings, Ayr 30 September, 1 October 2008 Council Chamber, Lanark</p>	<p>Agreed revised proposals that addressed points raised by AC.</p>
<p>East Lothian Midlothian Scottish Borders</p>	<p>Received 480 comments. Objections from all 3 Councils.</p>	<p>7 October 2008 Loanhead Miners' Club, Loanhead 14 October 2008 Eastgate Theatre, Peebles 16 October 2008 Brunton Hall, Musselburgh</p>	<p>Commission did not adopt AC suggestions because they would worsen electoral parity and did not consider local ties but adopted suggested constituency name.</p>
<p>Dumfries and Galloway</p>	<p>Received 370 comments. Council supported proposals.</p>	<p>21, 22 October 2008 DG One, Dumfries</p>	<p>Commission adopted AC recommendations.</p>

Boundaries Scotland

Council areas	Reason for Inquiry	Dates and Venues	Outcome
Aberdeen City Aberdeenshire Angus Moray	Objections from all four Councils	27 October 2008 Town House, Aberdeen 3 November 2008 Fisherman's Hall, Buckie	Commission adopted AC recommendations
Clackmannanshire Stirling	Received 340 comments.	11 November 2008 Municipal Buildings, Stirling	Commission considered AC suggestions and adopted suggested boundary from Stirling Council
Highland	Objection from Council. 37 comments.	19 November 2008 Town House, Inverness	Commission did not adopt two of the AC suggestions (4 Highland constituencies and link with Argyll and Bute). Agreed to third suggestion 3 Highland constituencies but followed Highland Council boundary suggestion.
Regions			

Boundaries Scotland

Council areas	Reason for Inquiry	Dates and Venues	Outcome
East Central Scotland, Highlands and Islands, Lothian, South Scotland, and West Central Scotland.	Received over 200 comments. Objections from Highland Council and West Dunbartonshire Council	22 October 2009 Parish Halls, George Street, Glasgow	Commission adopted AC recommendations

First Review of Scottish Parliament boundaries

Local Inquiries – legal advice

“The questions may be short, but they do not admit of easy answers. Other than that Para 7(3) of Schedule 1 to the Scotland Act 1998 requires the Commission take into account any representations made in response to the statutory notice, there is nothing in the legislation about how representations are to be considered. A total refusal to consider a representation in response to the statutory notice would be unreasonable, but if something has already been considered and rejected, the answer to such a representation will be obvious and the only consideration necessary would seem to be to check why it had been rejected and that that basis remained valid.

The Scotland Act 1998 is unspecific as to the detail of the way in which inquiries are to be conducted. Para 7 of Schedule 1 provides that the Boundary Commission may make provisional determinations, which it must publicise and invite representations. It must then take into account any properly made representations (and presumably may also consider any others). If it revises its recommendations it must repeat the process.

Para 9 provides that the Boundary Commission may, if it thinks fit, hold a local inquiry. In some circumstances it must hold an inquiry. But the Act says absolutely nothing about the conduct of the inquiry (other than a minor provision allowing the person conducting the inquiry to require the attendance of witnesses). As you say, the 1998 Act provision is modelled on section 6 of the Parliamentary Constituencies Act 1986. That section is equally silent about the conduct of the inquiry.

That means that we have to consider not what is the appropriate procedure, but rather on what basis any challenge might be made to the manner in which the Commission (or its appointed Chair) chose to conduct an inquiry. Such a challenge would have to be based in some breach of the general principles which the courts would expect to apply to the conduct. In general, those principles centre around a requirement for fairness, which will invariably be implied into a decision-making process. The courts will also expect openness and impartiality; to an extent these are facets of the requirement for fairness.

I think the courts would allow the Commission some scope to set up limits around what an inquiry was to discuss. The difficulty is what you refer to as the “domino effect” – no constituency can be modified in isolation. A loosely analogous situation sometimes arises at planning inquiries where a landowner suggests that a better site exists for a development he/she opposes; it is usually thought bad practice to allow discussion about the alternative site unless that landowner has had notice of the suggestion and been allowed also to make representations. A similar situation might arise at a boundary inquiry if a proposal is suddenly presented that has an effect on another constituency that voters there (and others) have not had any opportunity to consider. That tends to suggest that at an inquiry issues should be kept close to the matters that had already been raised and the reasonably foreseeable consequences of addressing them. A party who had made submissions at an inquiry about particular schemes might understandably complain that it had not been meaningful if a completely novel scheme was produced as the favoured scheme following discussions in another inquiry.

As there is clearly a need to give some structure to proposals, and later to inquiries, I do not think it is intrinsically unreasonable to structure initial proposals by local authority groupings. That approach is suggested by the legislation and it is administrative commonsense to link constituencies and local government units as possible. There is never going to be a perfect solution; the Commission has to consider which of the imperfect solutions is preferable. That process has to be guided from the top down, not from the bottom up, because the overall number of constituencies is prescribed, and those constituencies must be set in regions of broadly similar population. Local pieces require to be shaped so that the jigsaw fits together.

To return to your three questions, I think the first is impossible to answer fully in the abstract. The person conducting the inquiry can, I think, reasonably insist that discussion centres around the issues that have been raised in objections and the reasonably foreseeable ways in which they might be addressed. He/she can legitimately refuse to allow discussion of options that fall outwith these parameters, if he/she wishes, particularly if they raise a need for consequential changes which others would not have had an opportunity to object to or make representations regarding.

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On question two, I think it is reasonable to limit discussion to constituency groupings that have already been determined to be appropriate, unless there is a very strong basis to challenge that grouping – and even then by the time of a local inquiry the opportunity may have passed to raise that objection for the first time.

The third question again really depends on the circumstances. It is not intrinsically unreasonable to limit the scope of consequential changes, as the scheme has to form a coherent whole and the inquiry process has to be manageable.

I hope these thoughts are some assistance. Let me know if I can assist further.”

Briefing materials for Assistant Commissioners conducting Local Inquiries

22. The Secretariat will provide Assistant Commissioners with:

- Guidance Booklet (includes a copy of the legislation governing the Review, namely Schedule 1 of the Scotland Act 1998 as amended)
- BS Meeting Paper 015 Planning for Second Review of Scottish Parliament Boundaries Approach to designing constituencies and region (27 July 2022)
- Local Inquiry Booklet;
- Booklet of maps of provisional proposals;
- Provisional Order of Business;
- Representations – Copies of all representations received by the Commission (print and PDF files)
- List of Representations – filtered by council area, name, designation;
- Listing of representations from categories other than “Member of Public”;
- Maps showing Commission’s provisional proposals (print and PDF files);
- Maps depicting alternative suggestions (print and PDF files);
- Commission statement to the Local Inquiry. This sets out the Commission’s reasoning behind its provisional proposals, and the representations received;
- Secretariat papers to the Commission relating to this area. These include a summary of all representations made;
- Extracts of Commission Minutes relating to the area of the local inquiry;
- Statutory Notice – Provisional Proposals; and
- Public Notice – Local Inquiry.

Draft Statement by the Commission to the Local Inquiry

Introduction

In view of the representations which were received concerning the Commission's provisional proposals for 00 constituencies in the area covered by THESE Council areas, the Commission decided that this local inquiry should take place, in accordance with paragraph 9 of Schedule 1 of the Scotland Act 1998, as amended by the Scottish Parliament (Constituencies) Act 2004. The Commission welcomes this inquiry which provides an opportunity for local views to be heard as part of the process of reviewing Scottish Parliament boundaries. The Commission also welcomes the opportunity to explain the legislative provisions and procedures it must follow.

Background

The existing constituencies for the Scottish Parliament were defined following the First Review of Scottish Parliament boundaries. Those boundaries have been in place since 2011 and used in the 2011, 2016 and 2021 Scottish Parliament elections.

Redistribution of Seats

In formulating its provisional proposals for constituencies, the Commission has a statutory duty to apply Schedule 1 of the Scotland Act 1998 as amended. That Schedule sets out a set of rules to be applied when designing constituencies.

The rules for the redistribution of seats can be summarised as follows. Regard must be had to local authority boundaries. The electorates of each constituency are to be as near to the electoral quota as practicable. The electoral quota is determined by dividing the total number of local government or Scottish Parliament electors on the 1 September 2022 electoral registers for all of Scotland, except Orkney Islands, Shetland Islands and Na h-Eileanan an Iar by 70. The three island constituencies are protected in legislation and are not under review. The electoral quota remains fixed throughout the period of a review, and for the Second Review it is 59,902. The Commission may depart from these two rules if it considers that special geographical considerations, including the size, shape and accessibility of a constituency, make a departure desirable. Finally, the Commission must take account, so far as it reasonably

can, of inconveniences attendant on altering constituencies and of any local ties which would be broken by doing so.

In formulating its proposals, the Commission must seek to achieve a balance between conflicting requirements and must do so in a way which, so far as practicable, is consistent throughout the whole of Scotland. In this context and in the light of all the relevant considerations, the Commission decided that the combined THESE Council areas should be represented by 00 constituencies. There are currently 00 constituencies within these areas. The Commission recognises that changes to constituencies are often unwelcome. However, the legislation requires that Parliamentary boundaries are regularly reviewed and places a duty to do so upon the Commission. As in previous reviews, the main concerns have generally arisen from the need to take account of the movement of electorate within Scotland.

Local Authorities – Boundaries and Provision of Services

The Commission wishes to emphasise that its review relates solely to boundaries for the Scottish Parliament and does not affect the structure or arrangements of local government areas or the services they provide. Parliamentary boundaries **do not** affect the provision of council services or council tax.

Recent Election Results and Future Voting Patterns

The Commission wishes to emphasise that, for the purpose of formulating proposals for revised constituencies, the results of previous elections have not entered into its consideration. Similarly, it is not for the Commission to speculate upon the effects which its recommendations may have on future voting patterns.

Publication of Provisional Proposals

Information on the proposals, with illustrative maps, was placed on deposit at locations in each of the Council areas and made available on the Commission's website. The statutory notice stated that representations regarding its proposals should be made to the Commission by 17 June 2023 – the length of the consultation period being fixed by the legislation, as one month. The Commission is required to consider representations made about its provisional proposals and to hold a local inquiry if the issues raised are sufficient. Any

person may make a representation at this inquiry whether or not they have previously submitted a representation to the Commission.

Local Inquiries

The legislation states the Commission must hold a local inquiry if a local authority covering the constituency objects to the proposals or if a body of 100 or more electors resident in the proposed constituency objects. THIS Council objected to the provisional proposals.

The Review in these Council areas

Text to be drafted for each grouping explaining how the Commission developed its provisional proposals, the options it considered and reasons for its decisions.

Also a summary of the consultation responses.

Boundaries Scotland

Second Review of Scottish Parliament Boundaries

Local Inquiries

Boundaries Scotland
Thistle House
91 Haymarket Terrace
EDINBURGH
EH12 5HD

0131 244 2001

www.boundaries.scot

boundaries.scot@scottishboundaries.gov.uk

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1 Background

1.1 Local Inquiries

1.1.1 Local Inquiries, in addition to the submission of written representations, present an opportunity for members of the public or organisations to comment on and influence the Commission's proposals.

1.1.2 The Commission decides whether to hold a Local Inquiry after the public have had the opportunity to make written representations on the Commission's proposals.

1.1.3 It is sometimes difficult for the Commission to obtain a true measure of local opinion if those who support or do not object to the Commission's proposals do not make their support or lack of objection known to the Commission.

1.1.4 The Commission wishes to ensure that members of the public or organisations have a full opportunity to express their views. The Commission therefore recommends that those with an interest in this matter should attend or send a representative to any Local Inquiry held in their area to put forward their views on the proposals. Attendance at a Local Inquiry will also give an opportunity to hear and comment on any counter-proposals put to the Assistant Commissioner and thereby assist the Commission to gauge more accurately the weight of local opinion on the various proposals.

1.2 Current review

1.2.1 Boundaries Scotland has a statutory obligation under Schedule 1 of the Scotland Act 1998, as amended, to review Scottish Parliament boundaries and to submit a report to the Scottish Parliament by 2025. It is also required to submit subsequent reports between 8 and 12 years later.

1.2.2 The 1998 Act as amended specifies the procedures for the review, including the role of Local Inquiries, and also the rules that must be followed for the design of constituencies and regions for the Scottish Parliament.

1.2.3 The review covers all of the constituencies for the Scottish Parliament, except those covering the Na h-Eileanan an Iar, Orkney Islands and the Shetland Islands whose extents are fixed by the relevant legislation. The review also covers all of the regions for the Scottish Parliament.

1.2.4 A full description of the review appears in the Commission's Guidance Booklet on the Second Review of Scottish Parliament Boundaries which is available from the Commission and on its website www.boundaries.scot. That booklet includes the legislation regarding the review.

2 Proposals

2.1 Publication and consultation

2.1.1 A Local Inquiry can only be held after the Commission has published proposals for constituencies or regions, and has then considered all representations made in response to those proposals.

2.1.2 When it publishes proposals, the Commission publishes a news release, advertises in printed media and social media. The Commission also agrees with local authorities a set of locations such as council offices and libraries where details of the proposals, illustrated by maps, may be inspected. The proposals, maps, News Release and associated electorate data are also published on the Commission's website www.boundaries.scot.

2.1.3 The Commission's proposals are independent of any political considerations or consequences.

2.1.4 When proposals are published, the public are encouraged to make representations regarding the proposals to the Commission within a period of one calendar month from the date of publishing them.

2.2 Stages of a review

2.2.1 During a review, the Commission initially prepares and publishes provisional proposals. If it subsequently alters these provisional proposals, it will publish the resulting revised recommendations for consultation and again invite representations on them.

2.2.2 On each occasion of publication, a Local Inquiry may be held in response to the representations made. Due to the legislation, and as explained in 3.1 below, a Local Inquiry is most commonly held in response to representations made concerning the Commission's provisional proposals.

3 Local Inquiry

3.1 Decision to hold a Local Inquiry

3.1.1 The Commission is required to arrange a Local Inquiry if representations objecting to its proposal for a constituency are received from a local authority for the area within the constituency or a body of 100 or more parliamentary electors for such a constituency.

3.1.2 For proposals regarding Scottish Parliament regions, the Commission is required to arrange a Local Inquiry if representations objecting to its proposals are received from a local authority for the area within the region or a body of 500 or more parliamentary electors for such a region.

3.1.3 Where the representations are made in response to the publication of revised recommendations after a Local Inquiry has already been held, the Commission has the discretion to decide that a further Local Inquiry is not justified.

3.1.4 The Commission has the discretion to arrange a Local Inquiry even if objections meeting these criteria have not been received.

3.2 Announcement

3.2.1 The Commission gives advance notice of a Local Inquiry so that interested parties have time to prepare the evidence that they may want to give, and to make arrangements to be represented at the Local Inquiry if they so wish. It does so by issuing a News Release and publishing an advertisement in local newspapers and via social media, which gives the time, date and venue of the Local Inquiry and the name and contact details of the Assistant Commissioner.

3.2.2 The Commission also issues a statement summarising the context of the Local Inquiry, the Commission's reasons for its published proposals, and the issues raised by representations. This statement is made known to the Local Inquiry by the Assistant Commissioner when it begins.

3.2.3 Prior to the Local Inquiry, the Assistant Commissioner will provisionally determine the order in which representations offering alternative proposals for constituency boundaries, names or designations, received during the consultation period will be considered.

3.2.4 The Commission Statement, the provisional proposals, a summary of the representations received, and the provisional order of business for the Local Inquiry is made available for public inspection at locations within the area concerned. These same materials are also placed on the Commission's website. Publication of representations allows the public to be aware of any counter-proposals or other comments.

3.2.5 The Commission informs individuals and organisations who have made written representations in respect of its provisional proposals of the time, date and venue of the Local Inquiry.

3.3 Arrangements

3.3.1 The Local Inquiry is conducted on behalf of the Commission by an Assistant Commissioner, usually a Sheriff Principal or Sheriff, appointed by Scottish Government at the request of the Commission. The Local Inquiry is conducted at a convenient public place within the area under review, such as the Council Chamber of a local authority. Any interested person or organisation may, if they wish, attend in person, or send a representative to make known their views, whether or not they have previously submitted a written representation to the Commission.

3.3.2 Where the area subject to the Local Inquiry is extensive, the Local Inquiry may be held at more than one location.

3.3.3 A transcript of the proceedings of the Local Inquiry will be prepared.

3.3.4 The Commission will not be represented at the Local Inquiry, although members of the Secretariat may be present as observers and to assist with the running of the Local Inquiry. The Commission will not seek to defend its proposals at the Local Inquiry because it considers that to do so may give the impression that it is unwilling or reluctant to alter its published proposals.

3.4 Procedure

3.4.1 No statutory procedure is prescribed for the conduct of a Local Inquiry: this is left to the discretion of the Assistant Commissioner. Evidence can be given without any prior formality such as taking an oath or affirming. The purpose of a Local Inquiry is:

- to get to know local opinion;
- to hear criticisms of, and support for, the published proposals;
- to receive counter-proposals; and

- to enable everyone who wishes to comment on these, or on the Commission's proposals, to do so.

3.4.2 A record of those attending is kept to enable the Secretariat to inform them of subsequent progress in the review.

3.4.3 At the start of the Local Inquiry the Assistant Commissioner will make the Commission's statement known, and may, at his discretion, read it out.

3.4.4 The Assistant Commissioner will then ask the organisations or individuals listed in the provisional order of business if they would confirm that they wish to offer oral evidence. Where a sponsor is representing a person or organisation, a note will be made of that person's name. Thereafter, the Assistant Commissioner will ask for and note the name of any individual or organisation represented but not included in the provisional order of business wishing to offer evidence to the Local Inquiry.

3.4.5 Assistant Commissioners find it helpful if organisations or individuals wishing to propose elaborate or substantial counter-proposals disclose this fact at the beginning of the Local Inquiry when giving their names.

3.4.6 Copies of any written submissions, schemes or maps should be provided for the Assistant Commissioner, verbatim reporters and, if possible, others attending the Local Inquiry, to give them an opportunity to study and comment on counter-proposals at the Local Inquiry. The Assistant Commissioner might consider it necessary to adjourn the Local Inquiry for a short period in order to allow time for consideration to be given to complex counter-proposals.

3.4.7 After the Assistant Commissioner has heard each speaker, he may, at his discretion, invite questions to be asked through him of that speaker and he may have questions of his own.

3.4.8 When the Local Inquiry has closed, the Assistant Commissioner will write his report and submit it to the Commission. The Assistant Commissioner is fully entitled to comment on the Commission's proposals and on any representations or submissions. The report may recommend that the Commission's proposals be accepted intact or with alterations or that a counter-proposal be adopted. However, the Assistant Commissioner is also at liberty to offer completely revised proposals within the terms of the statutory rules which, in his opinion, are likely to be acceptable within the area under review.

4 Further stages

4.1 Assistant Commissioner's Report

4.1.1 A copy of the Assistant Commissioner's Report is made available on the Commission's website. Those attending the Local Inquiry are informed of the publication of the Assistant Commissioner's Report.

4.1.2 A copy of the transcript of the Local Inquiry proceedings is also published on the Commission's website.

4.2 Revised recommendations

4.2.1 The Commission considers the Assistant Commissioner's Report and the matters discussed at the Local Inquiry, together with any other relevant information. If the Commission decides to alter its published proposals, its revised recommendations are made available for public consultation in the same way as the published proposals.

4.2.2 Representations about these revised recommendations can then be made within a statutory consultation period and are considered as for the earlier proposals. The Commission will decide in accordance with section 3.1 above whether to hold a further Local Inquiry.

4.3 Final recommendations

4.3.1 If the Commission decides not to alter its published proposals, these will be published as the Commission's final recommendations, and those who participated in any Local Inquiry for that area will be informed of its decision.

4.4 Report

4.4.1 Once it has decided on its final recommendations for the whole of Scotland, the Commission submits its Report to the Scottish Parliament. The process around the submission of the Report and its passage into legislation is explained in more detail in the Commission's Descriptive Booklet on the review.