



House of Commons
Political and Constitutional
Reform Committee

Parliamentary Voting System and Constituencies Bill

Report for Second Reading

First Report of Session 2010–11



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Report, together with formal minutes

*Ordered by the House of Commons
to be printed 27 July 2010*

The Political and Constitutional Reform Committee

The Political and Constitutional Reform Committee is appointed by the House of Commons to consider political and constitutional reform.

Current membership

Mr Graham Allen MP (*Labour, Nottingham North*) (*Chair*)
Nick Boles MP (*Conservative, Grantham and Stamford*)
Mr Christopher Chope OBE MP (*Conservative, Christchurch*)
Sheila Gilmore MP (*Labour, Edinburgh East*)
Simon Hart MP (*Conservative, Carmarthen West and South Pembrokeshire*)
Tristram Hunt MP (*Labour, Stoke on Trent Central*)
Mrs Eleanor Laing MP (*Conservative, Epping Forest*)
Catherine McKinnell MP (*Labour, Newcastle upon Tyne North*)
Sir Peter Soulsby MP (*Labour, Leicester South*)
Mr Andrew Turner MP (*Conservative, Isle of Wight*)
Stephen Williams MP (*Liberal Democrat, Bristol West*)

Powers

The committee's powers are set out in House of Commons Standing Orders, principally in Temporary Standing Order (Political and Constitutional Reform Committee). These are available on the Internet via <http://www.publications.parliament.uk/pa/cm/cmstords.htm>

Publication

The Reports and evidence of the Committee are published by The Stationery Office by Order of the House. All publications of the Committee (including press notices) are on the Internet at www.parliament.uk/pcrc

Committee staff

The current staff of the Committee are Steven Mark (Clerk), Hannah Stewart (Legal Specialist), Elizabeth Gunn (Legal Specialist), and Anna Browning (Committee Assistant).

Contacts

All correspondence should be addressed to the Clerk of the Political and Constitutional Reform Committee, House of Commons, 7 Millbank, London SW1P 3JA. The telephone number for general enquiries is 020 7219 6287; the Committee's email address is pcrc@parliament.uk

Contents

Report	<i>Page</i>
Report	3
Appendix 1: Letter from the Chair of the Committee to the Deputy Prime Minister	4
Appendix 2: Letter from the Deputy Prime Minister to the Chair of the Committee	5
Formal Minutes	8

Report

1. We were appointed on Monday 12 July 2010. The Parliamentary Voting System and Constituencies Bill was presented to the House on Thursday 22 July. The Leader of the House announced earlier on the same day that second reading of the Bill would take place on Monday 6 September,¹ with only two clear sitting days between the two stages.

2. When the House agreed to establish the Political and Constitutional Reform Committee, it did so, in the words of the Deputy Leader of the House, “to ensure that the House is able to scrutinise the work of the Deputy Prime Minister”.² The Deputy Prime Minister has accurately described the Bill as “fundamental to this House and to our democracy”.³ **We regret that the Government’s timetable has denied us an adequate opportunity to scrutinise the Bill before second reading.**

3. We will have taken evidence on issues connected with the Bill three times before second reading, and the uncorrected transcripts of this evidence will be available to Members for the debate.⁴

4. We will be taking further evidence on the Bill in September, and, if the Government and the House give us time to do so, will aim to report substantively before the House considers the Bill in Committee.

1 HC Deb 22 July 2010, c 559

2 HC Deb 7 June 2010, c 137

3 Appendix 2

4 HC 358-i, and HC 396-i and -ii (2010–11)

Appendix 1: Letter from the Chair of the Committee to the Deputy Prime Minister

You wrote to me last week about the Parliamentary Voting System and Constituencies Bill, and the Fixed-term Parliaments Bill.

The bills were published on 22 July. Both are to receive their second reading in September. For the Parliamentary Voting System and Constituencies Bill, this gives my committee a grand total of two clear sitting days in which to consider and take evidence on the bill before second reading. The time that we have to scrutinise the Fixed-term Parliaments Bill is only marginally less inadequate.

Both bills are, as you say, “fundamental to this House and to our democracy”. Contrast this with your approach to House of Lords reform, where a draft bill will be published before the end of the year, which will then be subject to full pre-legislative scrutiny by a joint select committee over several months before a bill is formally presented to Parliament. On what principle can you justify this different treatment of legislation affecting the two Houses?

The Leader of the House has told the Liaison Committee that your government remains committed to pre-legislative scrutiny, and that proper pre-legislative scrutiny requires at least twelve weeks. Even though these two bills clearly deserve this degree of proper pre-legislative scrutiny, I have made every effort to adjust the committee’s schedule to meet the government’s legislative timetable, and I have written to you twice, on 25 June and 6 July, to try to find a window, however small, within which some reasonable level of committee scrutiny of the government’s bills could take place. I have had no reply to either of my letters.

Your legislative timetable has put me and my committee in an extremely difficult position. When the House agreed to establish the committee, it did so, in the words of the Deputy Leader of the House, “to ensure that the House is able to scrutinise the work of the Deputy Prime Minister”. In the case of these two bills you have denied us any adequate opportunity to conduct this scrutiny.

27 July 2010

Appendix 2: Letter from the Deputy Prime Minister to the Chair of the Committee

Parliamentary reform Bills

The Fixed-term Parliaments Bill and Parliamentary Voting System and Constituencies Bill were both published on 22 July 2010. I enclose a copy of the Bills for your consideration and would welcome any comments from yourself and the members of the Political and Constitutional Reform Select Committee.

I note you have called for papers with a response deadline of 3 September 2010. I expect that both bills will have their Second Readings during the September sittings.

Fixed-term Parliaments Bill

The provisions contained within the Bill stem from the Coalition's Programme for Government. In my statement to the House of 5 July I made clear the provisions set out in the Bill, will not only strengthen Parliament's power over the executive, but also confer new powers on Parliament in respect of dissolution.

The Bill makes Statutory provision for:

- Parliamentary general elections to occur every five years on the first Thursday in May;
- General elections only to be held earlier than this if either two-thirds of all MPs vote in favour of dissolution or there has been a vote of no confidence in the Government and an alternative Government has failed to gain the confidence of the House of Commons within 14 days;
- The automatic dissolution of Parliament in advance of scheduled general elections, meaning the Queen's prerogative power to dissolve Parliament will be abolished;
- Power for the date of the poll for a scheduled General Election to be moved, in exceptional circumstances, by two months either before or after the scheduled date of poll by the Prime Minister by affirmative Order approved by both Houses.

The Bill will not alter the arrangements for a vote of no confidence in the Government, which will continue to be passed with a simple majority. Such a vote will trigger a period of 14 days and if an alternative Government is unable to secure the confidence of the House of Commons during this time, Parliament will be dissolved and a general election will occur.

Parliament does not currently have the power to dissolve itself and the Bill will provide the House of Commons with a power to vote for dissolution. The Bill provides that where at least two-thirds of the House vote in favour of dissolution, Parliament will be dissolved. This is the same threshold for dissolution votes as that laid out in legislation passed by the UK Parliament for the devolved legislatures. No post-War Government has had a majority of two-thirds.

It is important that a Government elected after an un-scheduled early election has a full term to allow it to plan and implement its policies. Therefore, where an early election takes place, the timetable will be ‘re-set’ and the ensuing Parliament will last for five years from the previous first Thursday in May. This will deliver certainty as to when the next election will be and mean elections do not have to happen in quick succession.

We have registered the points that have been raised in relation to coincidence with elections to the Devolved Legislatures in Scotland, Wales and Northern Ireland in 2015 and will continue to work with interested parties and electoral administrators to consider the implications.

Parliamentary Voting System and Constituencies Bill

As I made clear in my statement on 5 July, this Government is committed to cutting the cost of politics and ensuring that every vote carries more equal weight. The Government also believes it is important to give people a choice over their electoral system. This Bill therefore provides for a referendum whether the Alternative Vote System should replace the First Past the Post System for Westminster Parliamentary elections. The referendum will be held on 5 May 2011. As well as setting the date and question for the referendum and providing the detailed conduct rules which will govern how the referendum is run, the Bill contains the changes to the rules of the conduct of Parliamentary elections that would be necessary to implement the Alternative Vote System in the event of a ‘yes’ vote. In that event, commencement of these changes will be linked to implementation of the new parliamentary boundaries.

The Bill also amends the Parliamentary Constituencies Act 1986 to set the size of the Commons at 600 Members and recast the rules for the distribution of seats to ensure that constituencies are more equal in size. The Boundary Commissions will be required to set new constituencies containing a number of registered electors that is within 5% of a single United Kingdom quota. There are a small number of tightly drawn exceptions on the basis of unique geography—namely Orkney and Shetland and Na h-Eileanan an Iar (the Western Isles). In order to prevent the creation of geographically large and sparsely populated constituencies, no constituency will be permitted to exceed 13,000 km², which is slightly larger than the largest existing constituency. As a consequence of the introduction of a single UK quota, the Bill will also contain provision to address rounding effects of a certain size, a difficulty which arises only in Northern Ireland (owing to the smaller electorate relative to the rest of the UK).

The boundaries review process will also be reformed; representations on proposals will be submitted in writing only, but the period for submission on those representations will be extended to three months (from one at present). Revised proposals will be consulted on for a second time. These measures should enable the Commissions to meet the time scales set down in the Bill—for a review to be completed before October 2013, and a further review to be completed every five years from that point in, which will ensure that constituency boundaries remain accurate and fair.

These issues are fundamental to this House and to our democracy. I look forward to the process of scrutiny and debate over the coming months.

I have written in similar terms to Baroness Jay, Chair of the Lords Constitution Committee.

22 July 2010

Formal Minutes

Tuesday 27 July 2010

Members present:

Mr Graham Allen, in the Chair

Nick Boles

Mr Christopher Chope

Sheila Gilmore

Simon Hart

Tristram Hunt

Mrs Eleanor Laing

Sir Peter Soulsby

Mr Andrew Turner

Stephen Williams

Draft Report (*Parliamentary Voting System and Constituencies Bill: Report for Second Reading*), proposed by the Chair, brought up and read.

Ordered, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 4 read and agreed to.

Two papers were appended to the Report.

Resolved, That the Report be the First Report of the Committee to the House.

Ordered, That the Chair make the Report to the House.

[Adjourned till Tuesday 7 September at 9.45 am