House of Commons
Political and Constitutional Reform Committee

What next on the redrawing of parliamentary constituency boundaries?

Eighth Report of Session 2014–15

Report, together with formal minutes relating to the report

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Publication

Committee reports are published on the Committee’s website at www.parliament.uk/PCRC-publications and by The Stationery Office by Order of the House.

Evidence relating to this report is published on the Committee’s website at www.parliament.uk/what-next-redrawing-parliamentary-boundaries.

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#### Conclusions and recommendations

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Summary

The 2013 review of parliamentary constituency boundaries was the first to be conducted under new rules for the distribution of parliamentary constituencies, as set out in the Parliamentary Voting System and Constituencies Act 2011. This Act substantially changed the rules for the distribution of parliamentary constituencies, providing for the number of parliamentary constituencies to be reduced to 600 (from the current 650), for reviews to be held every five years, and for the electorate of all but four constituencies to be within 5% of the UK average number of electors for a constituency. This last rule was a major departure from the conduct of previous reviews of parliamentary constituency boundaries, and seriously limited the extent to which local ties and existing constituency boundaries were able to be taken into account. We have heard that the proposals for new parliamentary constituencies brought forward during the 2013 Review were not satisfactory.

The 2013 Review was ultimately postponed until after the 2015 general election, but if the rules are not changed the next review will be conducted under the existing rules and it is likely a further set of unsatisfactory proposals will be brought forward.

We have concluded that it would be desirable for the rules to be changed, so that future proposals for new parliamentary constituencies are acceptable to Parliament, elected representatives and constituents. The key recommendations we have made are:

- That the allowable variance for the electorate of each constituency from the UK electoral quota be increased to +/- 10%.
- That the reduction of the number of parliamentary constituencies to 600 not go ahead.

In order to enable these changes to be made before the next boundary review commences, we recommend that the next Government make a statement no later than June 2015 on its policy on the rules for the distribution of parliamentary constituencies. This statement should respond to the recommendations we have set out in this report. The Government should in July 2015 publish a draft Bill for pre-legislative scrutiny and introduce a Bill in the autumn of 2015 to receive Royal Assent by early 2016.
1 Introduction

1. There are currently 650 parliamentary constituencies in the United Kingdom, each returning, following a parliamentary election, one Member of Parliament to represent them at the House of Commons. The legislation governing the distribution of parliamentary constituencies and the variation in the number of MPs is the Parliamentary Constituencies Act 1986, as amended.¹

2. Reviews of parliamentary constituency boundaries are conducted by Boundary Commissions—one each for England, Scotland, Wales and Northern Ireland. The Commissions are independent, non-departmental public bodies, established by statute. They propose new parliamentary constituency boundaries in accordance with the rules set out by Parliament, and these proposals then have to be approved by both the House of Commons and House of Lords before new boundaries come into effect.

3. In 2011 the rules governing the distribution of parliamentary constituencies were changed substantially, following enactment of the Parliamentary Voting System and Constituencies Act 2011. The most significant changes made by this Act were:

- That the number of parliamentary constituencies would be reduced from 650 to 600;
- That in future the size of parliamentary constituency electorates would, with four exceptions,² have to fall within +/- 5% of the average number of electors for a UK constituency; and
- That reviews of parliamentary constituency boundaries would henceforth occur once every five years.

The 2011 Act required the Boundary Commissions to recommend new parliamentary constituency boundaries by October 2013, with a view to changes being made ahead of the 2015 general election. The four Boundary Commissions launched a review of parliamentary constituency boundaries in March 2011 (hereafter referred to as the 2013 Review). The Commissions brought forward proposals for new parliamentary constituencies but the review was postponed until after the 2015 general election. The postponement was a result of provisions in the Electoral Registration and Administration Act 2013 moving the date by which the Boundary Commissions had to report. As a result of the review’s postponement, parliamentary constituency boundaries for the 2015 general election will remain the same as they were for the 2010 general election. The next review of parliamentary constituency boundaries is expected to begin in 2016, with recommendations for new parliamentary constituencies being made by October 2018, which could then be given effect ahead of the 2020 general election.

¹ Parliamentary Constituencies Act 1986
² The exceptions are the Isle of Wight, which would have two constituencies, a constituency for Orkney and Shetland and a constituency for Na h-Eileanan an Iar.
Our inquiry

4. In July 2014 we launched an inquiry to consider the new rules, as set out in the Parliamentary Voting System and Constituencies Act 2011, for redrawing parliamentary constituency boundaries, and the experience of the 2013 Review, with a view to considering whether any changes to the rules were necessary ahead of the next boundary review. The full terms of reference for our inquiry are annexed to this Report.3

What next on the redrawing of parliamentary constituency boundaries?

2 The rules for redistributing parliamentary constituencies

Boundary reviews before 2011

5. The rules governing reviews of parliamentary constituency boundaries are set out in the Parliamentary Constituencies Act 1986, as amended. This Act, as originally enacted, provided for each Boundary Commission to conduct a complete review of all constituencies in its part of the United Kingdom every ten to fifteen years. This provision was subsequently amended to provide for reviews every eight to twelve years. In between these general reviews, the Commissions were able to conduct interim reviews of part of their area of responsibility. The full reviews usually yielded substantial changes to constituency boundaries, while the interim reviews did not.

6. In terms of the size of constituency electorates, the Parliamentary Constituencies Act 1986, as originally enacted, stated that the electorate of a constituency “shall be as near the electoral quota [the average size of a constituency] as is practicable”. There were no rules specifying what this meant, and interpretation was therefore left to the Boundary Commissions. There was also no set limit on the number of MPs, although there were not to be “substantially greater or less than 613” in Great Britain, with a minimum of 35 for Wales and 71 for Scotland, and a range of 16–18 for Northern Ireland.

7. The last boundary reviews to result in changes to parliamentary constituency boundaries were conducted between 2000 and 2007. Following approval by Parliament, the new parliamentary constituency boundaries proposed as a result of these reviews were given effect in Scotland ahead of the 2005 general election, and in England, Wales and Northern Ireland ahead of the 2010 general election.

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4 Parliamentary Constituencies Act 1986
5 Boundary Commissions Act 1992, Section 2
What next on the redrawing of parliamentary constituency boundaries?

Parliamentary Voting System and Constituencies Act 2011

8. The Coalition Government committed itself to bringing forward a Bill to provide for “the creation of fewer and more equal sized constituencies”. The Parliamentary Voting System and Constituencies Act 2011 gave effect to this commitment, changing arrangements for the conduct of reviews of parliamentary constituencies by amending the Parliamentary Constituencies Act 1986 to replace the Schedule setting out the rules for the distribution of parliamentary constituencies. On the day the Bill was introduced, the Deputy Prime Minister stated:

By making constituencies more equal in size, the value of your vote will no longer depend on where you live, and with fewer MPs the cost of politics will be cut.  

9. The key provisions of the 2011 Act relating to boundary reviews were:

- That the Boundary Commissions report every five years recommending parliamentary constituency boundaries (with the first reports due by October 2013, with the intention that these would be implemented ahead of the 2015 general election);
- That the electorate of each constituency be within 5% of the electoral quota for the UK (with slightly different rules for Northern Ireland, and four constituencies to which the quota does not apply); and
- That the number of parliamentary constituencies be reduced from 650 to 600.

10. In addition to the strict requirement that 596 of the 600 constituencies be within +/- 5% of the UK electoral quota, the Parliamentary Voting System and Constituencies Act 2011 allowed Boundary Commissions to take into account several other factors. These included:

- geographical considerations;
- local government boundaries;
- boundaries of existing constituencies; and
- local ties.

The Act also made substantial changes to the process for public consultation on the proposals brought forward by the Boundary Commissions, which we explore below. The Act received Royal Assent on 16 February 2011.

11. The Government did not publish the Parliamentary Voting System and Constituencies Bill in draft for pre-legislative scrutiny on the proposed changes to the rules for the distribution of parliamentary constituency boundaries, or conduct any sort of consultation

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6 The Coalition: our programme of government, HM Government, May 2010
7 Government publishes AV referendum Bill, HM Government, 22 July 2010
8 The Parliamentary Voting System and Constituencies Act 2011
on the proposed changes, but we did produce two reports looking at the Bill before its provisions were enacted. The main points we made in our reports on the Bill were:

- That although there may be a case for reducing the number of MPs from 650 to 600, the Government had not made it.

- That the new rules regarding variation from the electoral quota could create particular difficulties for certain parts of the UK.

- That the timeframe for reviews would mean prospective parliamentary candidates would not know until eighteen months before a general election what the boundaries would be of the constituency they intend to contest.

- That one possible way in which the impact of the measures could be made less stark would be to provide for a more gradual approach, over a series of boundary reviews rather than in a single review, to the reduction in the number of constituencies and to the equalisation of their size.

The House of Lords Constitution Committee made similar recommendations in relation to both the reduction to the number of MPs and the closeness to elections of changes to parliamentary constituency boundaries.

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10 House of Lords Constitution Committee, Parliamentary Voting System and Constituencies Bill, Seventh Report of Session 2010-12, HL Paper 58
3 The 2013 review

12. The Parliamentary Voting System and Constituencies Act 2011 required the Boundary Commissions to provide recommendations for new parliamentary constituencies, in accordance with the new rules set out by the act, by 1 October 2013. To that end, the Commissions launched the 2013 Review (also called the Sixth General Review) on 4 March 2011. The Commissions agreed, for the purpose of the 2013 Review, that the total UK electorate (excluding the electorates of the four constituencies to which special rules applied) was 45,678,175, which gave an electoral quota for the whole of the UK of 76,641. This meant that, as a result of the new rule on the allowable variance of a constituency’s electorate from the quota, every constituency, apart from the specific exceptions given to four island constituencies, was required to have an electorate no smaller than 72,810 and no larger than 80,473.

13. As a result of the reduction in the number of parliamentary constituencies from 650 to 600, and the new rule for the allocation of constituencies to each part of the UK by reference to the electoral quota, the number of constituencies allocated to England, Scotland, Wales and Northern Ireland all changed, as set out below.

| Changes to the number of constituencies allocated to England, Scotland, Wales and Northern Ireland |
|--------------------------------------------------|--------------------------------------------------|-------------------|
| **Number of MPs at 2010 general election** | **Number of MPs allocated for the 2013 Review** | **Change** |
| England | 533 | 502 | -31 |
| Scotland | 59 | 52 | -7 |
| Wales | 40 | 30 | -10 |
| Northern Ireland | 18 | 16 | -2 |

Proposals for new parliamentary constituencies

14. The Boundary Commissions published initial proposals for new parliamentary constituencies between October 2011 and January 2012. These changed the vast majority of parliamentary constituencies—only 77 of the 533 existing English constituencies were unchanged, three of the 52 existing Scottish constituencies were unchanged (including two that were preserved by the 2011 Act), none of the existing Welsh constituencies were unchanged, although 15 of the proposed constituencies wholly contained one of the existing constituencies, and nine of the 18 existing Northern Ireland constituencies were largely unchanged. Following public consultation on these proposals, the process for which we examine below, each Commission produced revised proposals for further public consultation. All of the Commissions made substantial changes to the proposals for new constituencies in light of representations made during the consultation. The Boundary Commission for England revised 302 of the 502 constituencies that had been initially recommended, although the proportion of constituencies that was revised varied significantly from region to region.11 The Boundary Commission for Scotland revised the

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11 Revised proposals (by region), Boundary Commission for England
boundaries of 18 of the 52 constituencies recommended. The Boundary Commission for Wales revised the boundaries of 21 of the 30 constituencies that had initially been recommended. The Boundary Commission for Northern Ireland revised eight of the 16 constituencies that had initially been recommended. Following a further period of public consultation on the revised proposals, the Commissions would then have considered making further revisions to their proposals before making final recommendations as to new parliamentary constituencies.

Postponement

15. On 3 September 2012 the Deputy Prime Minister announced that the Liberal Democrats would not approve any Order implementing changes to parliamentary constituencies before 2015. Although this meant that it was unlikely that either House of Parliament would approve any changes to parliamentary constituency boundaries ahead of the 2015 general election, it did not formally bring the 2013 Review to a close, as the legislation requiring the Boundary Commissions to report by October 2013 was still in force. Amendments to the Electoral Registration and Administration Bill were subsequently proposed in the House of Lords, changing the date by which the Boundary Commissions next had to report from October 2013 to October 2018. These amendments were adopted and included in the Electoral Registration and Administration Act 2013, as enacted. As a result, the Boundary Commissions brought the 2013 Review to a close on 31 January 2013. Changes to UK parliamentary constituencies will now not, therefore, be considered by Parliament until after the 2015 general election.

16. We received a number of submissions regarding the impact of postponing changes to parliamentary constituency boundaries until after the 2015 general election. Points that were raised with us included:

• “There would be serious questions of democratic legitimacy if the “wrong” party ends up with the largest single number of seats in the House of Commons in 2015, if the inequality of electorates is a main factor.”

• “Failing to implement the Sixth Periodic Review has meant that a drastic increase in arithmetic equality has not taken place. However, the 2015 boundaries are unlikely to be much more unequal than they were in 2010.”

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15 HC Deb, 3 September 2012, col 38, [Commons Debate]
16 Electoral Registration and Administration Act 2013, Section 6
17 Written evidence from John Cartwright [RPB 02]
18 Written evidence from Lewis Baston [RPB 14]
• “the constituency electorates at the election will be more diverse than they would have been if the 2013 review had come into effect. Consequently the principle of equal votes of equal value not being implemented will ensure there is less electoral fairness.”\(^\text{19}\)

• The Boundary Commission for England noted that “the constituencies used at the 2015 election […] will—with only a handful of exceptions—have been created by reference to the electorate as it stood in the register published in February 2000.”\(^\text{20}\)

An unsatisfactory review?

17. Significant concerns, centred on instances where there was disruption to existing constituencies and where proposed constituencies did not reflect local communities, were raised during and after the 2013 Review.\(^\text{21}\) For example, Nigel Siederer, Chair of the McDougall Trust, an independent charity which seeks to promote public understanding of electoral democracy, stated:

> the first application of the new rules brought provisional results which looked rather bizarre. Other standing requirements, such as respect for natural communities and continuity with previous constituencies, appeared badly threatened by the lower priority they were now given.\(^\text{22}\)

We have heard similar assessments during the course of our own inquiry.\(^\text{23}\) Dr David Rossiter summarised the 2013 review by telling us:

> I think the easiest way to describe the proposals across the board was that they were unsatisfactory.\(^\text{24}\)

Many of the documents produced by the Boundary Commissions included statements as to the inevitability of a significant amount of change as a result of the new rules, and the Assistant Commissioners who made recommendations about revising the initial recommendations refer in a number of instances to having to recommend the “least worst” option.\(^\text{25}\) These statements were a clear indication that proposals for new constituency boundaries, devised under the new rules for the distribution of parliamentary constituencies, would result in significant changes and were in some cases likely not to be entirely satisfactory. Simon James, Deputy Director of the Elections Division at the Cabinet Office, told us that there was an understanding that the first review under the new rules

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\(^{19}\) Written evidence from the Conservative Party [RPB 19]

\(^{20}\) Written evidence from the Boundary Commission for England [RPB 13]

\(^{21}\) Equality, Community and Continuity: Reviewing the UK Rules for Constituency Redistributions, Professor Ron Johnston, Dr David Rossiter and Professor Charles Pattie, Boundary changes without mass disruption?, Lord Tyler, MPs attack constituency changes to shrink Commons to 600 seats, Guardian

\(^{22}\) Equality, Community and Continuity: Reviewing the UK Rules for Constituency Redistributions, Professor Ron Johnston, Dr David Rossiter and Professor Charles Pattie

\(^{23}\) Written evidence from Gateshead Council [RPB 09], Mebyon Kernow – the Party for Cornwall [RPB 28]

\(^{24}\) Q2 [Professor Ron Johnston]

would “cause a huge amount of disruption”. Professor Ron Johnston also told us that he was “not surprised at the amount of disruption”.

18. In terms of the reasons for the problematic nature of the proposals that were brought forward during the 2013 Review, Dr David Rossiter told us that the 5% rule was the “real culprit”. A lessons learned report produced by the Boundary Commission for England stated: “One of the most testing issues in the context of the revised statutory framework has been the requirement to reconcile the need to adhere to a fixed electorate tolerance (i.e. within 5% of the electoral quota) with the need to respect local ties and/or existing constituency boundaries.” The Commission’s evidence to us also stated that they had “significant difficulty reconciling the tension between a relatively low tolerance of departure from the electoral quota and the desirability of respecting the competing statutory factors”. Similar points were made by the other Commissions. Steve Halsall, Secretary to the Boundary Commission for Wales, told us that the level of disruption that would have resulted from implementing the recommended changes the Boundary Commission for Wales proposed was “due to a fixed number of MPs and using [the] electoral quota across the UK”. He told us that because Wales was statistically over-represented in terms of the number of MPs it had, “bringing it down to a similar level with the rest of the UK meant there would be considerable disruption.” One specific example the Boundary Commission for Wales gave was that the 5% rule necessitated joining the Isle of Anglesey with parts of the mainland, “regardless of whether they had any ties to the area.”

19. The proposals for new parliamentary constituencies made during the 2013 Review were, as a whole, not satisfactory. This was an almost inevitable result of the new rules for the distribution of parliamentary constituencies brought in by the Parliamentary Voting System and Constituencies Act 2011. The largest contributor to the unsatisfactory nature of the proposals was the imposition of the new statutory requirement for all but four parliamentary constituencies to have an electorate within 5% of the UK electoral quota. This new rule fundamentally changed the way in which proposals for new parliamentary constituency boundaries were devised, and severely limited the extent to which the Boundary Commissions were able to consider other factors such as continuity with previous constituencies and the reflection of local communities.
A need for change

20. It is likely that, if no changes are made to the new rules governing the distribution of parliamentary constituency boundaries, the results of the next boundary review will be as unsatisfactory as the proposals that were brought forward in the 2013 Review. Those to have made this argument include Nigel Siederer, who stated in July 2014:

the rules remain unchanged, and the Boundary Commissions will soon undertake new reviews on the same basis. These will, without further action and allowing only for demographic changes, redraw the boundaries for the 2020 Election - presumably producing a further set of troubling results.34

The Boundary Commission for Northern Ireland also told us “If the [5%] range is not extended, it is likely that similar difficulties will arise in any future review, although the locations would probably differ.”35

21. In order to limit the challenges faced by Boundary Commissions in bringing forward proposals for new parliamentary constituency boundaries which are acceptable to Parliament, elected representatives and constituents, the rules governing the distribution of parliamentary constituencies must be changed. Lessons learned from the aborted 2013 Review should inform these changes.

34 Equality, Community and Continuity: Reviewing the UK Rules for Constituency Redistributions, Professor Ron Johnston, Dr David Rossiter and Professor Charles Pattie
35 Written evidence from the Boundary Commission for Northern Ireland [RPB 12]
4 Options for change

22. We have considered a number of changes which could be made to the way in which reviews of parliamentary constituency boundaries are conducted. We have focused on those changes which would better enable the Boundary Commissions to devise new parliamentary constituencies which are acceptable to all involved, but have also considered a number of other proposals which have been put to us. The main areas which we have considered are:

- Changing the allowable variance of a constituency’s electorate from the electoral quota;
- Reducing the frequency of, and increasing the timeframe for, boundary reviews;
- Reconsidering changes to the number of parliamentary constituencies;
- The possibility of distributing constituencies on the basis of population rather than electorate;
- Improving the process for public consultation; and
- Reviewing how local government boundaries are taken into account by Boundary Commissions when devising parliamentary constituency boundaries.

Some of these issues—such as certain improvements to the public consultation process and changes to the way Boundary Commissions take into account local government boundaries—are ones which can be taken forward by the Boundary Commissions on their own initiative. Others—such as changing the allowable variance from the electoral quota or the number of parliamentary constituencies to be proposed—would require primary legislation.

23. Given that the main contributor to the unsatisfactory nature of many of the parliamentary constituencies proposed during the 2013 Review was the strict rule on the allowable variance from the electoral quota (the 5% rule), this is the issue we consider in most detail, and on which we make our key recommendations.

The electoral quota

24. The “electoral quota” is the average size of a constituency, in terms of the number of electors registered to vote. The electoral quota for the UK is calculated by dividing the total number of registered voters by the number of parliamentary constituencies. We consider below the extent to which parliamentary constituencies as they exist currently vary from the electoral quota, the new rules relating to the electoral quota which were brought in by the Parliamentary Voting System and Constituencies Act 2011, the impact the new rules had on the 2013 Review, and possible changes to the new requirement that the electorate of all but four constituencies be within +/- 5% of the electoral quota.
Variance in the size of parliamentary constituencies

25. The number of registered electors in each parliamentary constituency currently varies significantly. At the 2010 general election the smallest constituency had 21,837 electors (Na h-Eileanan an Iar, in Scotland), and the largest 110,924 electors (the Isle of Wight, in England). It should be noted that, under the Parliamentary Voting System and Constituencies Act 2011, special rules would have applied to both of these constituencies for the purpose of future boundary reviews. The smallest and largest constituencies, in 2010, which were not subject to special rules under the 2011 Act had electorates of 40,707 (Arfon, in Wales), and 91,531 (East Ham, in London), respectively.

26. Prior to the 2011 Act, the rules governing the distribution of parliamentary constituencies stated that the electorate of a constituency “shall be as near the electoral quota [the average size of a constituency] as is practicable”, but there was no set limit. One point made in the course of our inquiry was that the Council of Europe’s European Commission for Democracy through Law (or Venice Commission) had stated that “permissible departure from the norm should not be more than 10%, and should certainly not exceed 15% except in special circumstances”.

The table below shows how many UK constituencies were, in 2010, within +/- 5 or 10% of the average constituency size.

| Number of parliamentary constituencies within +/- 5 or 10% of the UK electoral quota |
|----------------------------------|------------------|------------------|------------------|------------------|
|                                  | UK               | England          | Scotland         | Wales            | Northern Ireland |
| Number of constituencies         | 650              | 533              | 59               | 40               | 18               |
| Within 10%                       | 463 (71.2%)      | 407 (76.4%)      | 41 (69.5%)       | 4 (10.0%)        | 11 (61.1%)       |
| Within 5%                        | 254 (39.1%)      | 236 (44.3%)      | 13 (22.0%)       | 2 (5.0%)         | 3 (16.7%)        |

Source: Electoral statistics for UK, 2010, ONS

27. The distribution of constituencies to the four parts of the UK is also somewhat uneven. Scotland, Wales and Northern Ireland all have more constituencies than they would be allocated if the number of constituencies in each part of the UK were strictly in proportion to the size of the electorate for that part. Prior to 2011 there was no set limit on the total number of constituencies for the UK, although there were not to be “substantially greater or less than 613” constituencies in Great Britain, with a minimum of 71 for Scotland and 35 for Wales, and a range of 16–18 for Northern Ireland.

28. A number of arguments have been made for reducing the current variance in the size of the electorate between constituencies. The main arguments are:

- It would reduce the disparity in the relative strength of an individual vote and number of votes required to elect an MP (although the electoral system and contestability of the seat are also relevant).

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36 Electoral Law, European Commission for Democracy through Law, May 2008
• It would mean each MP would be representing a similar number of constituents (although this assumes that the number of registered voters is similar to the population of a constituency).

We have also been told that having a strict mathematical rule for the allowable electorate of a constituency makes reviews administratively easier, as there is a clear rule for whether or not proposals are allowable. That said, we also heard that having such a rule meant there was an extra stage to the review process.

29. One argument made during our inquiry was that if the aim of reducing inequalities of the size of constituencies were to make each vote "of more equal value", to use the words of the Minister for the Constitution, Sam Gyimah MP, equalising the size of constituencies was only one side of this requirement, and consideration should also be given to electoral reform. This is a point we also made when the Parliamentary Voting System and Constituencies Bill was going through Parliament.

30. The Minister told us that the current level of variance of constituency electorates from the UK electoral quota was “a concern of the Government”, and that “the PVSC Act was passed in 2011 in order to address this situation”. Simon James, Deputy Director of the Elections Division at the Cabinet Office, expanded on this, telling us:

   In bringing forward the Parliamentary Voting System and Constituencies Bill, which became the Act in 2011, the Government did recognise that equality was a principle that should be enshrined in legislation. As a result of that Act and the review, had the 2013 review completed then with the four exceptions, which I am sure you are familiar with, saving those four exceptions every constituency would have been within plus or minus 5%.

The Minister also told us that “We [the Government] believe that seats should be of more equal size so that votes are of more equal value.”

31. We note that the number of registered electors currently varies significantly between constituencies. We believe that, all other things being equal, constituency electorates should be broadly equal. Reducing the variance in the number of electors from one constituency to another should be one of the functions of the boundary review process.

37 Written evidence from the Boundary Commission for England [RPB 13]
38 Q20 [Hugh Buchanan]
39 Q95 [Sam Gyimah MP]
40 Q101 [Fabian Hamilton MP], written evidence from Professor Ron Johnston, Dr David Rossiter and Professor Charles Pattie [RPB 01], Electoral Reform Society [RPB 29]
41 Parliamentary Voting System and Constituencies Bill, Third Report of Session 2010-12, HC 437, para 87
42 Q95 [Sam Gyimah MP]
43 Q95 [Simon James]
44 Q95 [Sam Gyimah MP]
**Impact of the 5% rule**

32. As we noted above, we have heard that the requirement for constituencies to be within 5% of the electoral quota, as set out in the Parliamentary Voting System and Constituencies Act 2011, was the main cause of the level of disruption that would have resulted from giving effect to the new constituencies proposed by the Boundary Commissions during the 2013 Review. The rule would also be likely to result in significant disruption to the distribution of parliamentary constituencies at each future boundary review.

33. Several witnesses highlighted the fact that the stricter the allowable variance from the electoral quota, the less one was able to take into account other factors. Tony Bellringer, Secretary to the Boundary Commission for England, told us:

> the smaller you make the tolerance level from the actual quota, the harder it becomes to take into account properly the other factors that are mentioned in the Act, such as not breaking local ties, respecting local authority boundaries, and minimising change.\(^{45}\)

He told us that as a consequence of the 5% rule the Commission “quite often had to decide to set those other factors aside because the only mandatory one, as far as England was concerned, was the numerical one.” Hugh Buchanan, former Secretary to the Boundary Commission for Scotland, took a similar view, stating that “With the 2011 Act, Parliament emphasised the parity way over and above the other [considerations].” He told us that “Historically, there has been a more balanced approach” to the various considerations, and that it was for Parliament to decide how it wanted to address the balance in the future.\(^{46}\)

Steve Halsall, Secretary to the Boundary Commission for Wales, told us:

> In Wales, the impact of the 5% was substantial, particularly in conjunction with the application of a UK electoral quota that reduced the number of MPs in Wales from 40 to 30. Because there was such a range of electorates in the constituencies in Wales, going from about 40,000 to 77,000—those were the existing numbers—getting it within that 5%, as well as having the reduction, meant that a substantial change was required in Wales.\(^{47}\)

34. Research by Professor Ron Johnston, Dr David Rossiter and Professor Charles Pattie has indicated that the disruption caused by the 5% rule would not be limited to the first occasion on which parliamentary constituencies were changed in accordance with the new rules, but that every subsequent five-yearly review was likely to result in major changes to a third of constituencies, and minor changes to around another third.\(^{48}\) This cyclical disruption would result from a combination of reallocation of constituencies among the four countries, demographic change, and re-warding undertaken by local

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45 Q20 [Tony Bellringer]
46 Q58 [Hugh Buchanan]
47 Q20 [Steve Halsall]
48 Equality, Community and Continuity: Reviewing the UK Rules for Constituency Redistributions, Professor Ron Johnston, Dr David Rossiter and Professor Charles Pattie
What next on the redrawing of parliamentary constituency boundaries?

authorities. Simon James, Deputy Director of the Elections Division at the Cabinet Office, told us that “the level of change that there will be over five years remains to be seen.”

**Changing the allowable variance from the quota**

35. We have received a significant amount of evidence arguing that the number of electors in a parliamentary constituency should be able to vary from the electoral quota by more than 5%. Those arguing in favour of a more lenient rule did so on the basis that this would enable the Boundary Commissions to take greater account of other factors such as continuity with existing constituency boundaries and local community ties. Professor Ron Johnston, Dr David Rossiter and Professor Charles Pattie conducted a substantial piece of research looking at the rules for the distribution of parliamentary constituencies. They concluded that relaxing the requirement for equality in terms of the size of the electorate from +/- 5% of the electoral quota to +/- 8 or 10% would mean that major problems devising constituency boundaries would only arise in a small number of places, rather than one third to one half of constituencies, as under the 5% rule. Their research indicated that if the allowable variance was increased to +/- 8% this would more than halve the number of cases where there were serious problems with proposing feasible constituencies, and if the allowable variance was increased to +/- 10% it would be possible to propose feasible constituencies in “nearly every area”. Professor Ron Johnston told us:

> Quite simply, with 8% you would create a few problems around, which a little bit of ward-splitting would then resolve. It is just that 5% was very tight.

Political analyst Lewis Baston agreed with the recommendations made by Professor Ron Johnston and colleagues, telling us:

> I was convinced […] that the number of cross-border constituencies that straddle county boundaries would be greatly reduced if one was to move to a tolerance of 10%. I would be in favour in general of it as allowing the commissions more room to achieve some of the other desirable objects of their mission to try not to cross local authority boundaries, keep communities together, keep continuity, all the familiar arguments.

36. In terms of the level of variation in the registered electorate of constituencies that would be allowed under an 8 or 10% rule, as compared to a 5% rule, the table below details the minimum and maximum number of electors that would be allowed per constituency under different rules. These figures are based on the size of the electorate (45,678,175) and

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49 Q122 [Simon James]
50 Written evidence from Gateshead Council [RPB 09], Southern Branch of the Association of Electoral Administrators [RPB 06], Unlock Democracy [RPB 05], Paul Morris [RPB 04], David Boothroyd [RPB 07], London Borough of Lambeth [RPB 16], Electoral Reform Society [RPB 29], Keep Cornwall Whole [RPB 27]
51 Equality, Community and Continuity: Reviewing the UK Rules for Constituency Redistributions, Professor Ron Johnston, Dr David Rossiter and Professor Charles Pattie
52 Q3 [Professor Ron Johnston]
53 Q73 [Lewis Baston]
electoral quota (76,641) used for the 2013 Review. They are also based on there being 600 parliamentary constituencies (596 of which would be subject to this rule).

### Allowable constituency electorates under different rules on the distribution of parliamentary constituencies

<table>
<thead>
<tr>
<th>Allowable difference</th>
<th>+/- 5%</th>
<th>+/- 8%</th>
<th>+/- 10%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum constituency size</td>
<td>72,810</td>
<td>70,510</td>
<td>68,977</td>
</tr>
<tr>
<td>Maximum constituency size</td>
<td>80,473</td>
<td>82,772</td>
<td>84,305</td>
</tr>
<tr>
<td>Allowable difference</td>
<td>7,663</td>
<td>12,262</td>
<td>15,328</td>
</tr>
</tbody>
</table>

New parliamentary constituencies devised in line with any of these ranges would be more equal, in terms of the number of registered electors, than current constituencies.

37. We have also received evidence arguing against a more lenient rule regarding the allowable electorate for each constituency.\(^5^4\) The Conservative Party told us:

> We believe that constituency boundaries should be within 5% of quota which allows a 10% margin which we believe is more than sufficient so that the important principle of equal votes of equal value is maintained. This sets an important Rule within which the Commissions can operate and unlike the previous Rules where it was unclear what Rule had precedence the Rules are clear and concise.\(^5^5\)

Similarly, Manchester City Council told us: “As a fundamental democratic principle, each MP should carry an equal weight of representation of parliament insofar as this can be achieved. The 5% threshold allows for the Commission to balance equal representation with those other factors detailed in the 2011 Act.”\(^5^6\) The Conservative Party went so far as to say that “if it [the 5% rule] was to change we would support a lower tolerance as we believe anything above 5% giving a 10% margin to be too high”.\(^5^7\)

38. Although the representatives of the Boundary Commissions accepted that the rules for the distribution of parliamentary constituencies were a matter for Parliament, several of them indicated that a greater degree of leniency or discretion in this area might be desirable. Dr William Smith told us:

> The main change I would have been looking for as a commissioner would be a relaxation in the mathematical range from the quota, and some discretion being allowed to the conditions to balance the principles of continuity, organic nature and equality. So, we would perhaps aim for 10% below to 10% above, but have the discretion to move a little bit more than that, if it was

\(^{54}\) Written evidence from John Cartwright [RPB 02], Manchester City Council [RPB 08], the Conservative Party [RPB 19]

\(^{55}\) Written evidence from the Conservative Party [RPB 19]

\(^{56}\) Written evidence from Manchester County Council [RPB 08]

\(^{57}\) Written evidence from the Conservative Party [RPB 19]
required by the strength of local ties or the feeling that we got from respondents about local ties, community and continuity.58

And Tony Bellringer told us:

I hesitate to go near the 5% figure, because I know that there is a lot of politics around it, but you might consider, rather than necessarily setting a completely different figure, just giving us a bit more discretion to say that we might go x% beyond the normal in exceptional cases.59

Mr Bellringer also told us that if the 5% figure were increased to 10% this would “have been more like the way it was in the old days when we had a bit more flexibility in how we designed the constituency.”60 The lessons learned document the Boundary Commission for England produced following the closure of the 2013 Review recommended that the appropriateness of 5% as the mandatory electorate tolerance figure be reviewed. To date this Committee is the only body within Parliament or Government to have examined the issue formally.

39. Ministers have given us different views on changing the 5% rule. In January 2015 the Minister for the Constitution, Sam Gyimah MP, told us:

The Government consider that setting the tolerance level at 5% would restore equality and fairness in the setting of constituency boundaries while also giving scope for other factors: physical geography and local ties. The view is very much that to go beyond the 5% tolerance level of the electoral quota might move too far away from what we set out to achieve, which is to give everyone’s vote more equal weight. There are, therefore, no plans to change that tolerance level.61

However, when we heard from the Deputy Prime Minister in September 2014, he told us:

my understanding of the central proposals was that quite a lot of the misgivings under the existing provisions […] could be solved or could be alleviated by, first, allowing for the splitting of wards […] and, secondly, by expanding this margin of error either side of the magic 60,000 figure by—I think they said—8% or 9% rather than 5%. I think that is the kind of pragmatic sensible approach.

He also told us:

I think it is important that we look at ways of making sure that we do not just end up with a repeat of all of the controversy of last time, but also in a pragmatic spirit seek to deliver boundary reviews—boundary reviews must

58 Q26 [Dr William Smith]
59 Q44 [Tony Bellringer]
60 Q20 [Tony Bellringer]
61 Q97 [Sam Gyimah MP]
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happen—in a way that does not lead to irrational decisions in that communities are needlessly split up when there is no reason other than the mathematical rigidity of the current formula determining that they should be split up in that way.62

40. The primary reason for the unsatisfactory nature of the proposals brought forward during the 2013 review of parliamentary constituency boundaries was the strict arithmetic rule regarding the electorates of all but four constituencies—that they be within +/- 5% of the average constituency size of the UK. That said, we have noted the current wide variation in the number of registered electors from constituency to constituency, and concluded that it would be desirable for that to be reduced. The evidence we have received is that increasing the allowable variance to +/- 10% would, in the vast majority of cases, alleviate the challenges experienced during the 2013 Review. We recommend that the allowable variance for the electorate of each constituency from the UK electoral quota be increased to +/- 10%. This would better enable the Commissions to come forward with more satisfactory proposals for new parliamentary constituencies, whilst still ensuring a greater degree of equality than exists at present in terms of the number of electors in each constituency. This change would require primary legislation.

Electoral quotas for parts of the UK

41. Under the Parliamentary Voting System and Constituencies Act 2011 each part of the UK is allocated a whole number of constituencies by reference to the UK electoral quota and the electorate for that part of the UK. This means that the average size of a constituency for each part of the UK is likely to be somewhat different from the average size of a constituency across the whole of the UK—the figure which determines the electoral quota. This difference is likely to be greatest for those parts of the UK which are allocated fewest constituencies. For example, the average size of the 16 parliamentary constituencies allocated to Northern Ireland for the 2013 Review was over 2,000 electors smaller than the UK electoral quota.

42. The 2011 Act makes special provisions for the distribution of constituencies in Northern Ireland if the electorate of Northern Ireland varies by a certain amount from the electoral quota and the Boundary Commission for Northern Ireland considers that this “unreasonably impair[s]” its ability to take into account other factors. Where these two criteria are met the electorate of parliamentary constituencies in Northern Ireland is allowed to vary from the UK electoral quota by greater than +/- 5%, according to a formula set out in the 2011 Act. The Minister told us: “There is a specific issue with Northern Ireland about giving them flexibility but it will not result in over-representation in terms of number of seats. That is why we have been able to allow that degree of flexibility for Northern Ireland.”63 The Boundary Commission for Northern Ireland told us that it

62 Q58, The work of the Deputy Prime Minister 2014, 9 September 2014
63 Q99 [Sam Gyimah MP]
felt that, for the 2013 Review, using the longer range would have “produced a somewhat better overall architecture” but it deemed that the criteria set out in the legislation were not met and so restricted itself to the tighter range. The Commission suggested that it might be preferable to “specify that the electorate in any constituency has to be within a certain percentage of the average for that part of the UK”, instead of retaining the current exemption in relation to Northern Ireland. The Boundary Commission for Scotland also told us that “it would be preferable to specify that the electorate in a constituency has to be within a certain percentage of the average constituency electorate for that part of the UK.”

43. **Requiring the electorate of each constituency to be within 5% of the electoral quota of that part of the UK—rather than for the whole of the UK—would enable the Boundary Commissions to use the full +/- 5% range. Such “local electoral quotas” may be an acceptable compromise to any Government which does not accept our recommendation that a higher tolerance should be implemented. We recommend that, if the +/- 5% rule is not relaxed, that Boundary Commissions be required to propose constituencies with an electorate within +/- 5% of the electoral quota for the part of the UK for which that Commission is responsible, rather than the overall UK electoral quota. This change would require primary legislation.**

**Taking account of local government boundaries**

44. Under the Parliamentary Voting System and Constituencies Act 2011 the Boundary Commissions may, but are not required to, take into account local government boundaries during the boundary review process. Historically, local wards have been used by Boundary Commissions as the building blocks for parliamentary constituencies, as they are easily identifiable areas for which the electorate is already known. However, as a result of changes to local wards—particularly in Scotland where multi-member wards came into effect in 2007—and the new requirement for constituencies to be within +/- 5% of the electoral quota, a more open approach to proposing parliamentary constituencies which crossed local ward boundaries was taken by Commissions during the 2013 Review. The approaches taken were:

- **Boundary Commission for England:** Sought to avoid dividing wards between constituencies wherever possible, stating that in the absence of exceptional and compelling circumstances it would not be appropriate to divide wards in cases where it was possible to construct constituencies that meet the statutory electorate range without dividing them.

- **Boundary Commission for Scotland:** Took account of ward boundaries but proceeded on the basis that it would not be able to keep every ward in a single constituency.

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64 Written evidence from the Boundary Commission for Northern Ireland [RPB 12](#)
65 Written evidence from the Boundary Commission for Scotland [RPB 10](#)
66 [A guide to the 2013 Review](#), Boundary Commission for England
• Boundary Commission for Wales: Sought to avoid dividing electoral divisions between constituencies but noted that there were likely to be circumstances in which it would be desirable to do so.68

• Boundary Commission for Northern Ireland: Used local government wards as the building blocks of new constituencies and avoided, so far as practicable, splitting them between constituencies.69

45. Professor Ron Johnston, Dr David Rossiter and Professor Charles Pattie were particularly critical of the Boundary Commission for England’s approach, and have argued that a greater openness to splitting local wards between parliamentary constituencies would have resolved several problems during the 2013 Review.70 Greater openness on the part of Boundary Commissions to splitting wards was welcomed in some of our evidence, with those in favour arguing that it would help avoid some disruption to existing constituencies and reduce the extent to which constituencies crossed major local authority boundaries.71 The London Borough of Lambeth told us that splitting wards between constituencies should only occur when “ward boundaries do not represent traditional community boundaries”, but should not be considered “purely to keep to a mathematical formula”.72 Other evidence objected to splitting wards, as this could divide communities between constituencies, and create administrative issues at elections.73 Tony Bellringer told us that it would have been desirable for the Boundary Commission for England to have been more open to the possibility of splitting wards, and this was something it intended to be more open to in the future. Mr Bellringer told us: “although a strong case will still be required for us to be agreeable to splitting a ward, it will be a lower bar than it has been in the past.”74

46. Although local government wards are a perfectly sensible starting point for building parliamentary constituencies, the constraints created by the new rules for the distribution of parliamentary constituencies mean that Boundary Commissions cannot afford to bind themselves unnecessarily. We welcome the statement from the Boundary Commission for England that it will be more open to the possibility of splitting wards in the future. This should serve to minimise any unnecessary disruption resulting from the boundary review process, and allow for greater account to be taken of substantive community boundaries.

68 2013 review of parliamentary constituencies in Wales: information booklet, Boundary Commission for Wales, 2011
69 A Guide to the Sixth Review of Parliamentary Constituencies, Boundary Commission for Northern Ireland, September 2011
70 Written evidence from Professor Ron Johnston, Dr David Rossiter and Professor Charles Pattie [RPB 01]
71 Written evidence from Professor Ron Johnston, Dr David Rossiter and Professor Charles Pattie [RPB 01], Unlock Democracy [RPB 05], John Cartwright [RPB 02], David Boothroyd [RPB 07], Conservative Party [RPB 19], Robert Anthony Hayward [RPB 15]
72 Written evidence from the London Borough of Lambeth [RPB 16]
73 Written evidence from Paul Morris [RPB 04], Southern Branch of the Association of Electoral Administrators [RPB 06], Manchester City Council [RPB 08], Gateshead Council [RPB 09], Craig Aston [RPB 17]
74 Q37 [Tony Bellringer]
Public consultation

47. Boundary Commissions are required to publicise and consult on their proposals for the redistribution of parliamentary constituencies. The Parliamentary Voting System and Constituencies Act 2011 established the following procedure for public consultation on proposed parliamentary constituencies:

- An initial consultation period: 12 weeks during which written representations can be made and public hearings are held in relation to the Commissions’ initial proposals.

- A secondary consultation period: A further four week period where additional written representations can be made once representations from the initial period have been published.

- Consultation on revised proposals: If a Boundary Commission revises its proposals there is a further eight week consultation period where written representations can be made to the Commission.75

This process is a substantial change from the previous arrangements for consultation, where the Boundary Commissions held local inquiries in respect of proposed changes to parliamentary constituency boundaries.

Consultation during the 2013 Review

48. The 2013 Review was the first occasion the new rules for public consultation on Boundary Commission proposals were used, and this experience has highlighted a number of areas where changes might be desirable. The Boundary Commissions received a significant volume of representations about their proposals for new parliamentary constituency boundaries; tens of thousands of written representations were submitted and over 1,000 people made oral representations at dozens of public hearings which were held across the UK.76

49. The evidence we received from the Boundary Commissions was that the public consultation process was useful and helpfully informed the process of revising proposals for new constituencies. For example, Dr Smith from the Boundary Commission for Northern Ireland told us that “public consultation was very useful in that we amended our original proposals in the light of things that people had written to us”.77

75 The Parliamentary Voting System and Constituencies Act 2011, Section 12
77 Q50 [Dr William Smith]
Public hearings

50. We have been told that the public hearings that formed part of the process for public consultation were of limited value, and that arrangements for them should be changed. Tony Bellringer told us that the Boundary Commission for England had “quite a few hearings that were probably a waste of time”, giving an example of one hearing in Sheffield where four people turned up over two days. Dr Smith told us that “the public oral hearings did not add anything to what we had received already in written representations in terms of the impact that they made on our revised recommendations.” Steve Halsall told us that in Wales there “were not the levels of representations and the numbers that we had anticipated” and “the numbers turning up to the public hearings were a lot less than we had thought.” That said, Mr Halsall told us that cross-questioning by assistant commissioners at the public hearings “teased out additional information that then fed into our revised proposals, so some benefit came out of that.” Tony Bellringer also told us about a public hearing in Birmingham where they had “lots of people turning up and lots of contested evidence”, and the hearing led to a change in the Commission’s recommendations. Mr Bellringer told us “I would be loth to get rid of [public hearings] altogether, but that is not to say that there are not alternative or additional ways that we could get at people.”

51. One specific issue that was raised with us was the timing of the public hearings. These had to be held during the initial 12-week consultation period, and we have been told that this limited their usefulness. Professor Ron Johnston, Dr David Rossiter and Professor Charles Pattie stated that “abolition of Public Hearings and a procedure comprising written representations alone would be both more efficient than, and at least as effective as, that introduced late to the 2011 legislation.” Professor Ron Johnston expanded on the flaws with the arrangements for public hearings, stating:

I think one of the biggest problems with the thing that was introduced was that the hearings were held during the period in which written representations were going in, which made for immense complications. […]
I think the more general argument though is that just like the inquiries beforehand, these hearings were dominated by the political parties.

52. Tony Bellringer told us that if public hearings were going to be part of the process, these should not be held at the same time as the initial consultation period, as “that did not work very well in the last review”. He told us:

Having the ability to choose ourselves where to hold public hearings after we have had the initial consultation period, and probably after the secondary
consultation period, means we will have seen where the debates really lie, and then we can get best value out of where we go, if you are having public hearings at all.\textsuperscript{83}

Dr William Smith agreed that if there were going to be public hearings, these should be “at the end of [the] written consultation phase”,\textsuperscript{84} and Steve Halsall also said “it would be better to have the public hearings after the representations period”.\textsuperscript{85} Hugh Buchanan told us that the consultation was “invaluable” but that the public hearings “were of questionable value.”\textsuperscript{86} He went on to say:

I think that we all had a similar experience: the content of the hearings was very patchy for a variety of reasons. Partly that was due to the timing, which was during a consultation period […]. The constraint on the duration of the hearings meant that the opportunity to test the evidence being presented was limited. Those two factors in combination meant that what we learned from the hearings was generally quite limited. However, the consultation process was invaluable. You referred earlier to local knowledge, and the only way we could plug into that local knowledge was through the consultation process. That was why the revised proposals from each of the commissions were much better received that the initial proposals that we had made.\textsuperscript{87}

53. The Minister for the Constitution highlighted public hearings as an option available to the public to “lobby and make the case where they feel geographical location or local ties are particularly important”.\textsuperscript{88} Simon James told us that the public hearings under the new rules had been much more accessible to members of the public than the inquiries which took place under previous rules.\textsuperscript{89}

54. The public consultation process is an essential part of the boundary review process, and holding hearings where members of the public and other interested parties can make oral representations is a valuable part of this process. That said, the Boundary Commissions were united in their view that public hearings would be more useful if they took place after written representations had been received, rather than during the initial consultation period. We recommend that the Boundary Commissions continue to be required to hold public hearings on their recommendations before reporting to the Secretary of State, but that these hearings should not be required to take place during the initial consultation period. This change would require primary legislation.
Modernising the consultation

55. We have heard that there are several ways in which the public might engage more effectively with the boundary review process, particularly given new technologies. Tony Bellringer told us that “there are certainly ways that we can explore different methods of getting at people other than just the old style of the formal public hearing.”90 Dr Smith also said that it would be helpful to look at how “social media and the internet [could be used] as a means of consultation”.91 The Boundary Commission for England followed up on its oral evidence to us with a written submission that stated:

the BCE intends to make greater use of online interactivity—via its website—at future reviews. Following successful approaches adopted by the Boundary Commission for Scotland and the Local Government Boundary Commission for England, functionality should include more interactive mapping viewable online.

[…] More generally, the BCE is always keen to explore new ideas for how it can effectively and efficiently engage the public in its consultation process. Use of modern social media channels to promote awareness of - and engagement with - our consultations was used for the first time in the 2013 Review, and we expect to build on that in future Reviews. The use of online forums—as suggested by colleagues in the Boundary Commission for Northern Ireland—is one avenue that we will be interested to explore further before the next Review.92

56. One of the suggestions made was that mapping tools be made available to the public, to enable them to design potential constituencies and submit these to the Boundary Commissions.93 Dr Micah Altman, from the Massachusetts Institute of Technology, and Dr Michael McDonald, from the University of Florida, have developed open source online software which has been used in six US states and five localities to enable the public to participate in the process of map drawing, and suggested that it would be possible for the UK Boundary Commissions to look at similar innovations.94 The Oxford Internet Institute recommended the development of a web tool which members of the public could use to find out how they would be affected by proposed changes to constituency boundaries.95 The Institute stated that this tool could be presented as both a website and an app, which could also be used to collect consultation responses relevant to particular constituencies, and to enable users to submit comments. The Institute stated that the tool could be

90 Q49 [Tony Bellringer]
91 Q51 [Dr William Smith]
92 Written evidence from the Boundary Commission for England [R PB 24]
93 Lessons learned summary, Boundary Commission for Wales, written evidence from Adrian Bailey [R PB 18]
94 Written evidence from Dr Micah Altman and Dr Michael McDonald [R PB 30]
95 Written evidence from the Oxford Internet Institute [R PB 32]
promoted via social media and local authority websites to increase the number of responses Boundary Commissions received.

57. **There is clearly scope for future reviews of parliamentary constituency boundaries to involve a more modern system of public consultation.** We welcome the statements by several of the Boundary Commissions that they will be looking at improving how they consult with the public at future boundary reviews. **We recommend that all Boundary Commissions consider, before the commencement of the next boundary review, how they can use new technologies to better engage with the public and better facilitate the public to contribute to the boundary review process.** Options should include promoting the public consultation on proposed constituencies online via social media, making online mapping tools available to those wishing to contribute to the consultation process and the use of online forums. **We hope that the evidence we have received in this area will be helpful to the Boundary Commissions in taking this work forward.**

**Frequency and timeframe of reviews**

58. Prior to 2011 the Boundary Commissions were required to report every eight to 12 years. The Parliamentary Voting System and Constituencies Act 2011 provided for the first review under the new rules to report by 1 October 2013, with subsequent reviews to report “every fifth year after that”. This synchronised the frequency of reviews with the Fixed-term Parliaments Act 2011, which provided for the next general election to take place on 7 May 2015, with subsequent elections on the first Thursday in May every five years thereafter.

59. We have received some evidence arguing that boundary reviews should take place on a 10-yearly, rather than five-yearly, cycle.96 Tony Bellringer told us:

> I think the English commission would like to have a longer period of time between reviews. If you were to do 10-yearly reviews rather than five-yearly ones, we could go back to the system that we had in the past under which we reviewed the whole of England on a rolling basis. Rather than trying to do it all in one go, which almost broke us administratively last time, we could actually progress round the country. We would still use the electorate data, and the wards and local authority boundaries as they were fixed at a particular point in time, which would be the same for every region, but we would just do one region at a time. We would be able to do that quite sensibly within a ten-year time scale.97

60. In terms of the timeframe during which boundary reviews have to be conducted, Tony Bellringer told us “the overall impression of the [2013 review] was that it was a bit rushed”, as the relevant legislation setting out the rules for the review had been given Royal Assent

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96 Written evidence from Professor Ron Johnston, Dr David Rossiter and Professor Charles Pattie [RPB 01], David Boothroyd [RPB 07]
97 Q27 [Tony Bellringer]
just one month before the review had to start.\textsuperscript{98} He also stated that the timetable for the review itself—as set out in the legislation—was challenging for England, telling us: “because the size of the task administratively in England is so much bigger, it was difficult to deliver in the time frame allowed.” Comparing the timeframe of the 2013 review with the previous review, he told us:

The fifth review started in 2000, and reported at the end of 2006 and beginning of 2007; it took six years minimum to go around England and deliver a report. With the 2013 review, we had to do the whole job in just over two years.\textsuperscript{99}

He suggested that if reviews were every 10 years it would be possible to go back to a system of reviewing constituencies in England on a rolling basis rather than “trying to do it all in one go”.\textsuperscript{100} Mr Bellringer told us that time was the crucial issue in terms of resources, and that this could not simply be solved by increasing staff or funding.\textsuperscript{101} In terms of the next boundary review, Hugh Buchanan told us that there would be a “tight” timetable, and Tony Bellringer told us that “we would probably say it was not enough time for the English commission.”\textsuperscript{102} He stated that the previous review of English parliamentary constituencies took six or seven years, and that it “is arguably a more difficult task now, with the new rules.”\textsuperscript{103} Professor Ron Johnston also told us that in a large part the problems experienced in England during the 2013 Review resulted from the Boundary Commission for England having to “do the whole country in six months”.\textsuperscript{104}

61. The Minister for the Constitution told us:

The Government’s position is that currently we have a situation where reviews are every eight to 12 years. The rationale for moving down to five years is to ensure that boundaries are consistent with changes in the local population. To move from the five years in the Act would be to move from the principle that underpins the legislation, which is that you want boundaries to be equal and you want them to reflect changes in population.\textsuperscript{105}

Professor Ron Johnston, Dr David Rossiter and Professor Charles Pattie told us that “Decadal reviews should be sufficient to ensure reasonable equality of representation in each Parliament.”\textsuperscript{106}

\textsuperscript{98} Q17 [Tony Bellringer]
\textsuperscript{99} Q18 [Tony Bellringer]
\textsuperscript{100} Q27 [Tony Bellringer]
\textsuperscript{101} Q19 [Tony Bellringer]
\textsuperscript{102} Q56 [Hugh Buchanan and Tony Bellringer]
\textsuperscript{103} Q57 [Tony Bellringer]
\textsuperscript{104} Q1 [Professor Ron Johnston]
\textsuperscript{105} Q113 [Sam Gyimah MP]
\textsuperscript{106} Written evidence from Professor Ron Johnston, Dr David Rossiter and Professor Charles Pattie [RQB 01]
62. A further suggestion was that the allocation of constituencies to each part of the UK apply for longer than five years, even if reviews of the boundaries within each part of the UK occurred on a five-yearly basis, to prevent significant disruption to both parliamentary constituencies and also any adverse consequences for the constituencies of devolved assemblies. Hugh Buchanan told us that “the five-yearly revisiting of the number of constituencies in each part of the UK is very disruptive.” He stated:

When you look at the data since we did the sixth review, a year later the numbers would have been the same. Two years later, England would have gained a seat and Wales would have lost one. The following year England would have lost one and Scotland would have gained one. There is a high frequency of churn and I think that is going to be quite disruptive. It means that when you come to redesign constituencies in a part of the UK or a region of England, you are starting afresh, because you have a specific numerical limit and a different numerical solution to the number of constituencies, so you have to start again.107

63. Dr William Smith, from the Boundary Commission for Northern Ireland, told us he agreed with “the desirability of not reallocating seats among the four countries and regions every five years.”108 In terms of an alternative to re-allocating constituencies to each part of the UK every review, the Boundary Commission for Scotland told us:

An alternative would be to specify that the allocation of seats between parts of the United Kingdom is done every 20 years (for example) with reviews within that longer period reviewing boundaries for each part of the United Kingdom without altering the number of MPs allocated to that part.109

Professor Johnston told us that this approach would result in variations in the average size of constituencies between the four parts of the UK, but that he thought “they would not become particularly great unless suddenly the population of Scotland, Northern Ireland or Wales either boomed or collapsed.”110

64. There are strong arguments for holding boundary reviews every five years. There are also strong reasons for holding them every 10 years. This is a matter we bring to the attention of the next Government.

The number of MPs

65. The Parliamentary Voting System and Constituencies Act 2011 made provision to reduce the number of MPs from 650 to 600. Although the provision is yet to come into effect, unless changes are made by primary legislation, future boundary reviews will be conducted on the basis of 600 parliamentary constituencies. The reasons given by the

107 Q27 [Hugh Buchanan]
108 Q27 [Dr William Smith]
109 Written evidence from the Boundary Commission for Scotland [RPB 10]
110 Q8 [Professor Ron Johnston]
Government for reducing the number of MPs to 600 were to reduce costs of the House of Commons, and to bring the number of MPs in line with that of the Parliaments of similar sized legislatures around the world. The Parliamentary Voting System and Constituencies Act 2011 provided for a review of the reduction in the number of parliamentary constituencies to be conducted and the findings published between June and September 2015. Following the postponement of the next boundary review, the dates of this review and report were amended to between June and September 2020.

66. We received a range of views on the ideal number of parliamentary constituencies. Some favoured reducing the number of MPs to 600 (or even lower), other favoured retaining 650, one submission stated that there was no real justification for reducing the number to 600, and others argued that there should be no preconception about the final number of MPs. Democratic Audit undertook work in 2010 and 2011 looking at the implications of the new rules for boundary reviews, and questioned the rationale for reducing the number of MPs from 650 to 600. We also heard that there were alternative ways of reducing the number of MPs without fixing the figure at 600. These could be to reintroduce the previous rules around the number of constituencies but reduce the entitlements to the four parts of the UK, or to set a maximum limit on the number of MPs. Either of these options could create a downward pressure on the number of MPs without reducing the figure by 50 at a single stroke, although having a range for the number of MPs would complicate any rules around the electoral quota.

67. In terms of the ability of the Boundary Commissions to bring forward satisfactory proposals for new parliamentary constituencies, Professor Ron Johnston told us that the number of constituencies:

makes very little difference indeed. In all of this debate, that is the red herring; the size of the House is not an important factor in the degree of disruption or fitting into local government boundaries. The Boundary Commission was not making all of these changes because it was going to 600 seats; the Boundary Commissions were making these changes because they were fitting into a 5% tolerance.

68. That said, the number of MPs—and thus the number of parliamentary constituencies—for the UK has a direct bearing on the electoral quota for the UK. The higher the number of MPs, the smaller the electoral quota, and, where a percentage limit

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111 Q62, The Coalition Government’s programme of political and constitutional reform, 15 July 2010, HC Deb, col 23, 5 July 2010 [Commons Debate], HC Deb, col 39, 6 September 2010 [Commons Debate]
112 Written evidence from John Cartwright [RPB 02], Liam Pennington [RPB 03], Conservative Party [RPB 19], Craig Aston [RPB 17]
113 Written evidence from Gateshead Council [RPB 09], Electoral Reform Society [RPB 29]
114 Written evidence from David Boothroyd [RPB 07]
115 Written evidence from Paul Morris [RPB 04], Southern Branch of the Association of Electoral Administrators [RPB 06]
116 Boundary Changes, The 2012 Audit, Democratic Audit
117 Written evidence from Craig Aston [RPB 17]
118 Q13 [Professor Ron Johnston]
on variance of constituency electorates from the electoral quota is set, the smaller the allowable variance between the smallest and largest constituencies.\(^{119}\) Steve Halsall told us that the Boundary Commissions did not have a “particular view” about the number of MPs there should be, but did tell us:

we need to point out that should the number be higher than the 600 in the rules as they stand at the moment, something needs to be done about the tolerance level. They need to be hand in hand, because a larger number of MPs means that each constituency has a smaller number of electors and so the tolerance is a smaller number, and it would be more difficult to work with 5% on that.\(^ {120}\)

69. The Minister for the Constitution told us that one way to consider this question was to compare the number of people on the electoral register with similar figures for comparable democracies, stating that “A strong case could be made that on that basis in the UK we are over-represented in the Commons”.\(^ {121}\) On this point, the Deputy Prime Minister told the House, when the Parliamentary Voting System and Constituencies Bill was introduced, that “The House of Commons is the largest directly elected Chamber in the European Union, and it is half as big again as the US House of Representatives.”\(^ {122}\) That said, we noted in our report on the Parliamentary Voting System and Constituencies Bill that the House of Commons, at 650 Members, is not much larger than the German Bundestag (622), the Italian Chamber of Deputies (630) or the French National Assembly (577).\(^ {123}\)

70. We have previously noted that although there may be a case for reducing the number of Members of Parliament to 600, the Government did not make it before introducing legislation to implement the change. We have received a wide range of views on what the “correct” number of MPs might be, but the case for reducing the number of MPs from 650 to 600 has still not been made. We recommend that, in the absence of any compelling reason for reducing the number of MPs and the complete absence of any consultation on or research into the impact of such a reduction, legislation be introduced to reverse the reduction to the number of MPs provided for by the Parliamentary Voting System and Constituencies Act 2011.

71. If it was found to be desirable to reduce the number of MPs, it should not be assumed that the only way of achieving this is to set a fixed number of 600. It would be possible to set a ceiling on the number of MPs so that the figure did not increase in the future—this ceiling could then be reduced over time. Alternatively, the number of MPs could be reduced incrementally over several boundary reviews. Either of these options would put downward pressure on the number of MPs without removing 50 parliamentary constituencies at a single stroke.

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119 Written evidence from the Boundary Commission for England \([RBP\,13]\)
120 Q52 [Steve Halsall]
121 Q137 [Sam Gyimah MP]
122 HC Deb, col 23, 5 July 2010 [Commons Debate]
123 Parliamentary Voting System and Constituencies Bill, Third Report of Session 2010-12, HC 437
72. The more constituencies there are, the smaller the electoral quota—and therefore, under the 5% rule, the allowable variation in the number of electors between constituencies—for the UK would be. This means that if the next boundary review takes place on the basis of 650 constituencies, it would be all the more important to relax the current 5% rule, as we recommend above.

Electorate or population

73. Although the Parliamentary Voting System and Constituencies Act 2011 was the first piece of legislation to create a strict rule regarding the size of the electorate of each parliamentary constituency, previous legislation had made reference to the electorate of parliamentary constituencies, and it is the registered electorate that has historically been the basis on which constituencies are proposed. This is by no means an international norm, and it is common for population size, rather than the size of the registered electorate, to be used as the basis for devising constituency boundaries. Lewis Baston, a political analyst, told us that he thought “about 50% of countries use population, 33% use electoral register”.124 Unlock Democracy argued that population, rather than registered electors, should be the basis for calculating constituency boundaries, because the correspondence between actual population size and the size of the registered electorate had declined over time, and this meant that distributing constituencies on the basis of registered electorate meant that representation in Parliament was being “systematically skewed” away from areas with low rates of electoral registration.125 This proposal was supported by others, including the Electoral Reform Society.126 Unlock Democracy argued that using population size would also mean that MPs would be responsible for roughly the same number of constituents, rather than roughly the same number of registered voters. The Boundary Commission for England noted that “the registered electorate, those eligible to be part of the registered electorate and the population are three different groups”.127

74. Using population data for reviews of parliamentary constituency boundaries would almost certainly involve using population data gathered during the decennial census. The below table compares population and electorate figures for 2011 (the last year for which accurate data on both figures is available).

<table>
<thead>
<tr>
<th>Country</th>
<th>Population (2011 census)</th>
<th>Parliamentary electors (2011)</th>
<th>% of population registered to vote</th>
</tr>
</thead>
<tbody>
<tr>
<td>England</td>
<td>53,012,500</td>
<td>38,654,000</td>
<td>72.9</td>
</tr>
<tr>
<td>Scotland</td>
<td>5,295,403</td>
<td>3,941,600</td>
<td>74.4</td>
</tr>
<tr>
<td>Wales</td>
<td>3,063,500</td>
<td>2,298,600</td>
<td>75.0</td>
</tr>
<tr>
<td>Northern Ireland</td>
<td>1,810,863</td>
<td>1,213,000</td>
<td>70.0</td>
</tr>
</tbody>
</table>

Sources: 2011 Censuses for England & Wales, Scotland and Northern Ireland, and ONS electoral statistics

124 Q90 [Lewis Baston]
125 Written evidence from Unlock Democracy [RBP 05]
126 Written evidence from Southern Branch of the Association of Electoral Administrators [RBP 06], Paul Morris [RBP 04], David Boothroyd [RBP 07]. Electoral Reform Society [RBP 29]
127 Written evidence from the Boundary Commission for England [RBP 13]
75. Lewis Baston told us that there were two options for using census data in devising parliamentary constituency boundaries: either to use the raw population data or to use the census data to estimate the population that was entitled to be registered to vote—rather than using the figures from the electoral register, which are incomplete.\(^{128}\) On this last point, the most recent estimate was that the 2014 electoral registers for Great Britain are only 85.9% complete, equivalent to 7.5 million people not being correctly registered to vote.\(^{129}\) The Boundary Commission for Scotland stated that because “detailed and accurate population counts are only available in Great Britain from the Census, which is only produced every 10 years with its results following around 2 years later […] basing constituency design on population data presents difficulties which we judge to be greater than those of using electorate data.”\(^{130}\) Similarly, Simon James of the Cabinet Office told us:

> We have a census that takes place every 10 years. There is no system of accurately recording the population more frequently than that. ONS publishes estimates but they are just that, estimates. The advantage of using the electoral roll is that it records registered electors. Basing it on population would then bring in all sorts of other practical issues as well, and it is not just a headcount. There would also be a decision about whether or not to include those under 18 or whether it would be pure population and so on.\(^{131}\)

76. We have been told that for future boundary reviews there is a case for using population data instead of the electoral registers, particularly in light of the current incompleteness of electoral registers. This would be a substantial change to the way in which boundary reviews are conducted, and would almost certainly involve synchronising boundary reviews with the publication of population data from the census. We recommend that the next Government commission research into how population data could be used as the basis for reviewing parliamentary constituency boundaries, and report by the end of the 2015 Parliament. This research should include an analysis of international practice.

Other matters arising

**Taking account of new local government boundaries**

77. Under the Parliamentary Voting System and Constituencies Act 2011, the Boundary Commissions may take account of local government boundaries “as they exist on the most recent ordinary council-election day before the review date”. Steve Halsall told us it would be helpful if Boundary Commissions were able to take account of local government boundary changes when orders have been made but the changes had not yet come into effect.\(^{132}\) He told us that at present orders were made but would not come into effect until

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128 Q71 [Lewis Baston]
130 Written evidence from the Boundary Commission for Scotland [RPB 10](https://www.gov.uk/government/publications/paring-constituencies)
131 Qq133-4 [Simon James]
132 Q27 [Steve Halsall]
the next local election, and the new local government boundaries could therefore not be considered by the Boundary Commissions, which was not helpful. This was a point with which Professor Ron Johnston, Dr David Rossiter and Professor Charles Pattie agreed.133

78. We agree with the Boundary Commission for Wales that Boundary Commissions ought to be able to take account of local government boundary changes from the date when orders have been made, even if the changes have not yet come into effect. We recommend that the rules for the distribution of parliamentary constituency boundaries be changed accordingly. This change would require primary legislation.

**Impact on devolved administrations**

79. The number of parliamentary constituencies has a direct impact on the number of elected representatives for the devolved assemblies in both Wales and Northern Ireland. The Boundary Commission for Northern Ireland noted that as a result of the postponement of the 2013 Review, there would be two more MPs for Northern Ireland than if new parliamentary constituency boundaries had been agreed, and that there would as a consequence also be 12 more MLAs after the next Assembly election than if the changes had gone ahead.134 Rt Hon Carwyn Jones AM, First Minister of Wales, also addressed the relationship between parliamentary constituencies and boundaries for constituencies for representatives to the National Assembly for Wales. He argued that fixing the number of parliamentary constituencies distributed to each part of the UK would be helpful to provide “a firm foundation on which we could, if we chose, build whatever new Assembly electoral arrangements commended themselves to the parties here.”135

80. Any change to the number of parliamentary constituencies in Wales and Northern Ireland would have a direct impact on the number of elected representatives that would be returned to the respective devolved assemblies at the next election for that Assembly. One way of limiting the disruption to the devolved administrations of reviews of parliamentary constituency boundaries would be to fix the number of parliamentary constituencies allocated to each part of the UK for several review periods. Reducing the frequency of reviews would also reduce the consequential disruption to constituencies for the devolved assemblies. We recommend that the next Government consider how the rules for the distribution of parliamentary constituencies could be amended so as to limit the disruption of future boundary reviews to the devolved assemblies in Wales and Northern Ireland.

133 Written evidence from Professor Ron Johnston, Dr David Rossiter and Professor Charles Pattie [RPB 20]
134 Written evidence from the Boundary Commission for Northern Ireland [RPB 12]
135 Written evidence from Rt Hon Carwyn Jones AM [RBP 21]
Approval of changes to parliamentary constituency boundaries

81. At present any changes to parliamentary constituency boundaries are subject to approval by Parliament, with each House needing to approve by resolution a draft Order in Council.\(^{136}\) Several pieces of evidence supported the practice of parliamentary approval of changes to constituency boundaries,\(^{137}\) stating that this was a necessary check on the Boundary Commissions’ proposals, but a number of people have called for the proposed changes put forward by the Boundary Commissions to be implemented without intervention by Parliament, stating that this would make the process truly independent.\(^{138}\) The Boundary Commission for England told us that removing a stage of parliamentary approval would “fundamentally change the nature” of the Boundary Commissions.

\(^{136}\) Parliamentary Constituencies Act 1986

\(^{137}\) Written evidence from David Boothroyd [RPP 07], Gateshead Council [RPP 09], Southern Branch of the Association of Electoral Administrators [RPP 06], John Cartwright [RPP 02], London Borough of Lambeth [RPP 16], Robert Anthony Hayward [RPP 15]

\(^{138}\) Written evidence from Paul Morris [RPP 04], Southern Branch of the Association of Electoral Administrators [RPP 06], Keep Cornwall Whole [RPP 27]
5 What next?

Plans for the next review

82. The Electoral Registration and Administration Act 2013 changed the date the Boundary Commissions have to next report from October 2013 to October 2018, with the proposals due to take effect ahead of the 2020 general election.\(^{139}\) We heard that the Boundary Commissions planned to launch this review in February or March 2016. The proposals made by the Boundary Commissions would then need to be agreed by Parliament before being given effect.

Legislative change in the next Parliament

83. We have recommended several changes to the rules for the distribution of parliamentary constituencies. Primary legislation would be needed to give effect to these changes, and given that the next review is planned to be launched in early 2016, such legislation would need to be given priority in the next Parliament. The Parliamentary Voting System and Constituencies Act 2011 was enacted on 16 February 2011, and the 2013 Review was launched just over a month later. The Boundary Commission for England produced a lessons learned document from the 2013 Review, and the Secretary told us:

> Our top recommendation was to say, “Please make sure that if there are any legislative changes, don’t do it just before we have to start.”\(^{140}\)

The closure report to the 2013 Review produced by the Boundary Commission for England expanded on this point, stating:

> One of the difficulties with the 2013 Review was that the statutory framework was finalised relatively late in the process, with changes being made even in the closing stages of the passage of the Bill.

> Such late changes limited the nature, extent and the value of the preparatory work the BCE was able to undertake. They prevented the BCE from being able to commence preparatory work for the review as early as it would have liked. Such preparatory work could have usefully included such practical issues as the training of staff on the basis of finalised rules, which would have contributed significantly to the efficient development of the initial proposals.

> Although the BCE was ultimately able to deliver its initial proposals within a reasonable timeframe (and in accordance with its own project plan for the

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139 Electoral Registration and Administration Act 2013, Section 6
140 Q30 [Tony Bellringer]
review overall), the quality of the initial proposals may have benefited from a longer lead time following the final establishment of the statutory rules.141

Representatives from the Boundary Commissions for Wales and Northern Ireland suggested that December 2015 was a sensible deadline to aim for any legislative changes to be made, as they would not be able to start their work before then anyway.142

84. We have recommended on a number of occasions that pre-legislative scrutiny must in future be an integral and mandatory part of the process of consideration for every public bill. We have stated that the only exceptions should be cases in which there is an accepted and pressing need for immediate legislation.

85. We have recommended several changes to the rules for the distribution of parliamentary constituencies. These would require primary legislation to be given effect. We understand the problems for the Boundary Commissions if the rules for the distribution of parliamentary constituencies are not made clear in good time, and we have been told that it would be desirable for the statutory framework for the next boundary review to be in place by December 2015. Legislation to give effect to the recommendations we have made will therefore need to be a priority in the new Parliament. While we have on several occasions lamented occasions where legislation has been rushed through Parliament and not been published in draft for pre-legislative scrutiny, such considerations must be balanced in this case with a pressing need for legislative change. We recommend that the next Government make a statement no later than June 2015 on its policy on the rules for the distribution of parliamentary constituencies. This statement should respond to the recommendations we have set out in this report. The Government should in July 2015 publish a draft Bill for pre-legislative scrutiny and introduce a Bill in the autumn of 2015 to receive Royal Assent by early 2016.

Fixed-term Parliaments and the possibility of an early election

86. The Parliamentary Voting System and Constituencies Act 2011 provided for the Boundary Commissions to propose new parliamentary constituency boundaries by 1 October 2013 (subsequently amended to 1 October 2018), and every five years thereafter. This in effect synchronised the frequency of boundary reviews with the frequency of general elections, as provided for by the Fixed-term Parliaments Act 2011, which provided for the next general election to be on 7 May 2015, with subsequent general elections to be held on the first Thursday in May every five years.143 However, the Fixed-term Parliaments Act 2011 makes provision for early elections to be held in the event of either a motion for a general election being agreed by two thirds of the total number of MPs in the Commons, or a motion of no confidence being passed in Her Majesty’s Government and 14 days

142 Q60 [Steve Halsall and Dr William Smith]
143 Fixed-term Parliaments Act 2011, Section 1
elapsing without the House passing a motion of confidence in Her Majesty’s Government.\textsuperscript{144}

87. There are no legislative provisions for boundary reviews to be postponed, short of introducing primary legislation to amend the date by which the Boundary Commissions must report. If the five-year cycle of general elections were to change as a result of the early end of a fixed-term parliament and an early general election, it is likely that legislation would need to be introduced to amend the date for all subsequent boundary reviews, to ensure boundary reviews and changes to parliamentary constituency boundaries did not clash with general elections.

The impact of Individual Electoral Registration

88. Under the Parliamentary Voting System and Constituencies Act 2011, the electoral quota for the UK is determined on the basis of the electoral register in effect two years and ten months before the date by which the Commissions’ reports are to be submitted.\textsuperscript{145} This means that for the next review—which has to report by 1 October 2018—the relevant electoral registers will be those produced in December 2015, which the Boundary Commissions expect will be available to them around February or March 2016.\textsuperscript{146}

89. Arrangements for electoral registration in Great Britain are currently under transition from a system of household registration—where the head of the household registers eligible voters—to a system of Individual Electoral Registration (IER)—where each voter is required to register individually, and supplies identifying information such as a date of birth and National Insurance Number. IER went live in England and Wales on 10 June 2014 and in Scotland on 19 September 2014 (Individual Electoral Registration has been operating in Northern Ireland since 2002). The transition to IER is the most significant change to electoral administration in decades, and was pursued with a view to tackling electoral fraud and increasing confidence in the integrity of the electoral registers. This transition is a subject we have considered several times over the course of this Parliament.\textsuperscript{147}

90. The Electoral Registration Act 2013 made transitional arrangements for voters registered under the household electoral registration system to remain on the electoral register until December 2016. Under the provisions of the Act, in December 2016 those individuals who had been kept on the register under transitional arrangements would be removed if they have not been confirmed onto the new register via data matching or registered individually under the new system. The legislation also provides the Government with the option of bringing forward to December 2015 the date on which

\begin{itemize}
\item \textsuperscript{144} Fixed-term Parliaments Act 2011, Section 2
\item \textsuperscript{145} Parliamentary Voting System and Constituencies Act 2011, \textsuperscript{Section 11}
\item \textsuperscript{146} Q54 [Hugh Buchanan]
\end{itemize}
What next on the redrawing of parliamentary constituency boundaries?

these transitional arrangements would end. That decision has to be made between the beginning of June and the end of August 2015. This means that the Government’s decision will determine whether the electoral registers to be used for the next boundary review will include those people carried over under transitional arrangements for IER, or will consist solely of those people registered under the new system.

91. On 4 February 2015 the Minister for the Constitution told the House:

There is a clear process through which the decision will be made about whether to end the transition in 2015. That will be down to the independent advice of the Electoral Commission, whoever is Minister and whoever is in government.

[...]

Whoever is the Minister, and whoever is in government, the decision they make will be taken on the independent advice of the Electoral Commission. That is pretty clear as far as guiding principles are concerned.

92. In the advice to be provided to the Government, the Electoral Commission has been clear that the effect on boundary reviews would not be a factor in any recommendation. When asked about the advice the Electoral Commission would provide to the Minister before a decision is taken about whether or not to bring forward to the end date for transition arrangements, Jenny Watson, the Chair of the Electoral Commission, told us:

We have not engaged in a discussion about boundaries. That would be for the boundary commissions.

[...]

It may be as we go through that that we can think about what references we might make to boundaries, but that has not historically been something that we have done, and I am not sure I think it is the role of the Electoral Commission to do that.

148 HC Deb, 4 February 2015, col 352 [Commons Chamber]
149 HC Deb, 4 February 2015, col 365 [Commons Chamber]
150 Analysis of the December 2014 electoral registers in England and Wales, Electoral Commission, February 2015
93. Evidence we received from the Liberal Democrat Parliamentary Committee on Constitutional and Political Reform in relation to our inquiry into voter engagement stated:

In light of the considerable work needed to ensure hard-to-reach groups are registered individually, and the impacts on boundary changes, we consider it very unlikely that an early end to carryover will be appropriate.  

94. Lewis Baston, a political analyst, produced a paper specifically looking at the impact of the implementation of Individual Electoral Registration on the next boundary review, and warned us that there was “a grave risk” of the next boundary review being “a very skewed exercise” if the end date for transitional arrangements to IER was brought forward and the registers “purged” of electors registered under the household system. He suggested that a Minister should be “risk averse” with regard to considering bringing forward the end date for transitional arrangements, and should be “absolutely sure that what they are doing is safe with regard to the way the boundary system and the electoral system work.”

95. The Boundary Commission for England also addressed the impact of IER on the next boundary review, telling us:

The next Review will operate on the basis of the register to be published in December 2015. The BCE understands that the final decision on whether or not that register will continue to be part of the IER ‘transitional period’ (i.e. will contain ‘carried forward electors’) will be taken by the government in summer 2015.

With a fixed number of constituencies, if any change in the number of electors registered is consistent across the UK, the only effect on the boundary review process will be the amendment to the electoral quota and–accordingly–the permitted range of electors in a non-‘protected’ constituency. If registration numbers are high, the electoral quota will be high, and the permitted range will be large (with consequentially lesser need to split wards to meet the range requirements). The reverse would be the case if registration rates were consistently low.

Greater issues would arise if there are significant differences between the registration rates in different parts of the UK. First, if there is a significant difference between registration rates in the constituent nations of the UK, that directly impacts the number of constituencies allocated to each part of the UK (under Rule 3 and Rule 8). Secondly, within England, the extension of the statutory formula to calculating the theoretical entitlement of the regions of England would also be directly impacted by significant differences in registration rates between those different regions. Thirdly, within regions,
differences in registration rates between local areas will directly impact the number of constituencies those areas will be allocated: areas of low registration will see relatively fewer constituencies than areas of high registration. Finally, different registration rates may give rise to a concern that the principle of constitutional equality between constituencies is not being met as well as would be the case if the rates were similar. The greater the differences, the greater the concern regarding departure from that principle.154

96. In December 2014 new electoral registers were published for England and Wales. These were the first registers to be produced since Individual Electoral Registration had been introduced in Great Britain. The registers showed that 920,000 fewer people were registered to vote in December 2014 than had been in February/March 2014. Changes to the number of people registered to vote varied considerably at a local level, with the electorate of some local authorities increasing by 7%, while the electorate in other areas had decreased by 12%. The registers also contained a significant proportion of people—estimated at 5% of entries, or between 2 and 2.5 million people—who were retained on the electoral registers under transitional arrangements, but had not registered under IER and would therefore be removed from the registers when the transitional arrangements came to an end. The Electoral Commission concluded that the fall in the number of registered voters in the December 2014 registers was the result of a lack of “comprehensive household canvassing”, which will also have had “a negative impact on the accuracy and completeness of the electoral registers”. The Electoral Commission also reported that problems with the data it had received which meant it was impossible at that time to “undertake a detailed analysis of progress with the transition to IER in this report”, and stated:

Without reliable data about electoral registration in June 2015, it is highly unlikely that the Commission would be able to recommend in any circumstances that the end of the transition to IER should be brought forward to December 2015.

The first electoral registers for Scotland to be produced under IER will not be published until March 2015.

97. The electoral registers in Northern Ireland have been produced using Individual Electoral Registration since 2002, and the 2014 electoral registers showed a slight increase in the number of people registered to vote there. Given that the December 2014 electoral registers for England and Wales indicate that the electorate of Great Britain is likely to have fallen in absolute terms, and also relative to Northern Ireland, there is likely to be a change to the allocation of constituencies to the four parts of the UK at the next boundary review, with a shift towards Northern Ireland.

154 Written evidence from the Boundary Commission for England [BPP 13]
98. Under the Parliamentary Voting System and Constituencies Act 2011 the next boundary review will be conducted on the basis of the electoral registers in effect at December 2015. Great Britain is currently undergoing a transition to a system of Individual Electoral Registration, and the current electoral registers are a hybrid—including people registered under IER and also, under transitional arrangements, people who had registered under the previous household registration system. The first electoral registers for England and Wales to be produced under IER show that almost one million fewer people are registered to vote than were less than a year earlier, and that over two million people have been retained on the registers under transitional arrangements. In the summer of 2015 the next Government will have to decide whether to bring forward to December 2015, from December 2016, the end date for transitional arrangements to IER. If it decides to bring forward this date it will mean that the December 2015 electoral registers consist only of those people who have registered under IER, and those currently retrained under transitional arrangements will be removed. This will determine the electoral registers used for the next boundary review, as well as those which are used for the elections in May 2016 for the Scottish Parliament, Welsh Assembly, the Mayor of London, and various local elections.

99. We have previously recommended that unless the electoral registers are substantially more complete than at present by May 2015, the Government should not bring forward the end date for the transitional arrangements for IER. We reaffirm this recommendation in the context of the impact that decision will have on the electoral registers to be used at the next boundary review. We also recommend that the Electoral Commission ensures that any advice on whether it is appropriate to bring forward the end date for transition to IER include sufficient information for the responsible Minister to assess the impact of this decision on the next boundary review. This should include an assessment of local variations to changes to electoral registration. We further recommend that the responsible Minister consult the Boundary Commissions on the implications for them, and for the 2018 Review, of bringing forward the end date for transitional arrangements.
Conclusions and recommendations

The 2013 review

1. The proposals for new parliamentary constituencies made during the 2013 Review were, as a whole, not satisfactory. This was an almost inevitable result of the new rules for the distribution of parliamentary constituencies brought in by the Parliamentary Voting System and Constituencies Act 2011. The largest contributor to the unsatisfactory nature of the proposals was the imposition of the new statutory requirement for all but four parliamentary constituencies to have an electorate within 5% of the UK electoral quota. This new rule fundamentally changed the way in which proposals for new parliamentary constituency boundaries were devised, and severely limited the extent to which the Boundary Commissions were able to consider other factors such as continuity with previous constituencies and the reflection of local communities. (Paragraph 19)

2. In order to limit the challenges faced by Boundary Commissions in bringing forward proposals for new parliamentary constituency boundaries which are acceptable to Parliament, elected representatives and constituents, the rules governing the distribution of parliamentary constituencies must be changed. Lessons learned from the aborted 2013 Review should inform these changes. (Paragraph 21)

Options for change

3. We note that the number of registered electors currently varies significantly between constituencies. We believe that, all other things being equal, constituency electorates should be broadly equal. Reducing the variance in the number of electors from one constituency to another should be one of the functions of the boundary review process. (Paragraph 31)

4. The primary reason for the unsatisfactory nature of the proposals brought forward during the 2013 review of parliamentary constituency boundaries was the strict arithmetic rule regarding the electorates of all but four constituencies—that they be within +/- 5% of the average constituency size of the UK. That said, we have noted the current wide variation in the number of registered electors from constituency to constituency, and concluded that it would be desirable for that to be reduced. The evidence we have received is that increasing the allowable variance to +/- 10% would, in the vast majority of cases, alleviate the challenges experienced during the 2013 Review. We recommend that the allowable variance for the electorate of each constituency from the UK electoral quota be increased to +/- 10%. This would better enable the Commissions to come forward with more satisfactory proposals for new parliamentary constituencies, whilst still ensuring a greater degree of equality than exists at present in terms of the number of electors in each constituency. This change would require primary legislation. (Paragraph 40)
5. Requiring the electorate of each constituency to be within 5% of the electoral quota of that part of the UK—rather than for the whole of the UK—would enable the Boundary Commissions to use the full +/- 5% range. Such “local electoral quotas” may be an acceptable compromise to any Government which does not accept our recommendation that a higher tolerance should be implemented. We recommend that, if the +/- 5% rule is not relaxed, that Boundary Commissions be required to propose constituencies with an electorate within +/- 5% of the electoral quota for the part of the UK for which that Commission is responsible, rather than the overall UK electoral quota. This change would require primary legislation. (Paragraph 43)

6. Although local government wards are a perfectly sensible starting point for building parliamentary constituencies, the constraints created by the new rules for the distribution of parliamentary constituencies mean that Boundary Commissions cannot afford to bind themselves unnecessarily. We welcome the statement from the Boundary Commission for England that it will be more open to the possibility of splitting wards in the future. This should serve to minimise any unnecessary disruption resulting from the boundary review process, and allow for greater account to be taken of substantive community boundaries. (Paragraph 46)

7. The public consultation process is an essential part of the boundary review process, and holding hearings where members of the public and other interested parties can make oral representations is a valuable part of this process. That said, the Boundary Commissions were united in their view that public hearings would be more useful if they took place after written representations had been received, rather than during the initial consultation period. We recommend that the Boundary Commissions continue to be required to hold public hearings on their recommendations before reporting to the Secretary of State, but that these hearings should not be required to take place during the initial consultation period. This change would require primary legislation. (Paragraph 54)

8. There is clearly scope for future reviews of parliamentary constituency boundaries to involve a more modern system of public consultation. We welcome the statements by several of the Boundary Commissions that they will be looking at improving how they consult with the public at future boundary reviews. We recommend that all Boundary Commissions consider, before the commencement of the next boundary review, how they can use new technologies to better engage with the public and better facilitate the public to contribute to the boundary review process. Options should include promoting the public consultation on proposed constituencies online via social media, making online mapping tools available to those wishing to contribute to the consultation process and the use of online forums. We hope that the evidence we have received in this area will be helpful to the Boundary Commissions in taking this work forward. (Paragraph 57)

9. There are strong arguments for holding boundary reviews every five years. There are also strong reasons for holding them every 10 years. This is a matter we bring to the attention of the next Government. (Paragraph 64)
10. We have previously noted that although there may be a case for reducing the number of Members of Parliament to 600, the Government did not make it before introducing legislation to implement the change. We have received a wide range of views on what the “correct” number of MPs might be, but the case for reducing the number of MPs from 650 to 600 has still not been made. We recommend that, in the absence of any compelling reason for reducing the number of MPs and the complete absence of any consultation on or research into the impact of such a reduction, legislation be introduced to reverse the reduction to the number of MPs provided for by the Parliamentary Voting System and Constituencies Act 2011. (Paragraph 70)

11. If it was found to be desirable to reduce the number of MPs, it should not be assumed that the only way of achieving this is to set a fixed number of 600. It would be possible to set a ceiling on the number of MPs so that the figure did not increase in the future—this ceiling could then be reduced over time. Alternatively, the number of MPs could be reduced incrementally over several boundary reviews. Either of these options would put downward pressure on the number of MPs without removing 50 parliamentary constituencies at a single stroke. (Paragraph 71)

12. The more constituencies there are, the smaller the electoral quota—and therefore, under the 5% rule, the allowable variation in the number of electors between constituencies—for the UK would be. This means that if the next boundary review takes place on the basis of 650 constituencies, it would be all the more important to relax the current 5% rule, as we recommend above. (Paragraph 72)

13. We have been told that for future boundary reviews there is a case for using population data instead of the electoral registers, particularly in light of the current incompleteness of electoral registers. This would be a substantial change to the way in which boundary reviews are conducted, and would almost certainly involve synchronising boundary reviews with the publication of population data from the census. We recommend that the next Government commission research into how population data could be used as the basis for reviewing parliamentary constituency boundaries, and report by the end of the 2015 Parliament. This research should include an analysis of international practice. (Paragraph 76)

14. We agree with the Boundary Commission for Wales that Boundary Commissions ought to be able to take account of local government boundary changes from the date when orders have been made, even if the changes have not yet come into effect. We recommend that the rules for the distribution of parliamentary constituency boundaries be changed accordingly. This change would require primary legislation. (Paragraph 78)

15. Any change to the number of parliamentary constituencies in Wales and Northern Ireland would have a direct impact on the number of elected representatives that would be returned to the respective devolved assemblies at the next election for that Assembly. One way of limiting the disruption to the devolved administrations of reviews of parliamentary constituency boundaries would be to fix the number of
parliamentary constituencies allocated to each part of the UK for several review periods. Reducing the frequency of reviews would also reduce the consequential disruption to constituencies for the devolved assemblies. *We recommend that the next Government consider how the rules for the distribution of parliamentary constituencies could be amended so as to limit the disruption of future boundary reviews to the devolved assemblies in Wales and Northern Ireland.* (Paragraph 80)

**What next?**

16. We have recommended several changes to the rules for the distribution of parliamentary constituencies. These would require primary legislation to be given effect. We understand the problems for the Boundary Commissions if the rules for the distribution of parliamentary constituencies are not made clear in good time, and we have been told that it would be desirable for the statutory framework for the next boundary review to be in place by December 2015. Legislation to give effect to the recommendations we have made will therefore need to be a priority in the new Parliament. While we have on several occasions lamented occasions where legislation has been rushed through Parliament and not been published in draft for pre-legislative scrutiny, such considerations must be balanced in this case with a pressing need for legislative change. *We recommend that the next Government make a statement no later than June 2015 on its policy on the rules for the distribution of parliamentary constituencies. This statement should respond to the recommendations we have set out in this report. The Government should in July 2015 publish a draft Bill for pre-legislative scrutiny and introduce a Bill in the autumn of 2015 to receive Royal Assent by early 2016.* (Paragraph 85)

17. There are no legislative provisions for boundary reviews to be postponed, short of introducing primary legislation to amend the date by which the Boundary Commissions must report. If the five-year cycle of general elections were to change as a result of the early end of a fixed-term parliament and an early general election, it is likely that legislation would need to be introduced to amend the date for all subsequent boundary reviews, to ensure boundary reviews and changes to parliamentary constituency boundaries did not clash with general elections. (Paragraph 87)

18. Under the Parliamentary Voting System and Constituencies Act 2011 the next boundary review will be conducted on the basis of the electoral registers in effect at December 2015. Great Britain is currently undergoing a transition to a system of Individual Electoral Registration, and the current electoral registers are a hybrid—including people registered under IER and also, under transitional arrangements, people who had registered under the previous household registration system. The first electoral registers for England and Wales to be produced under IER show that almost one million fewer people are registered to vote than were less than a year earlier, and that over two million people have been retained on the registers under transitional arrangements. In the summer of 2015 the next Government will have to decide whether to bring forward to December 2015, from December 2016, the end
date for transitional arrangements to IER. If it decides to bring forward this date it will mean that the December 2015 electoral registers consist only of those people who have registered under IER, and those currently retrained under transitional arrangements will be removed. This will determine the electoral registers used for the next boundary review, as well as those which are used for the elections in May 2016 for the Scottish Parliament, Welsh Assembly, the Mayor of London, and various local elections. (Paragraph 98)

19. We have previously recommended that unless the electoral registers are substantially more complete than at present by May 2015, the Government should not bring forward the end date for the transitional arrangements for IER. We reaffirm this recommendation in the context of the impact that decision will have on the electoral registers to be used at the next boundary review. We also recommend that the Electoral Commission ensures that any advice on whether it is appropriate to bring forward the end date for transition to IER include sufficient information for the responsible Minister to assess the impact of this decision on the next boundary review. This should include an assessment of local variations to changes to electoral registration. We further recommend that the responsible Minister consult the Boundary Commissions on the implications for them, and for the 2018 Review, of bringing forward the end date for transitional arrangements. (Paragraph 99)
Annex: Terms of reference

On 21 July 2014 the Political and Constitutional Reform Committee agreed to inquire into the redrawing of parliamentary constituency boundaries, and called for evidence on the following questions.

1. What are the advantages and disadvantages of setting constituency boundaries within 5% of the “electoral quota”?
   - Should a higher or lower tolerance be considered?

2. What are the other considerations the Boundary Commissions should give greatest weight to in drawing constituency boundaries?

3. Should the Boundary Commissions be more open to the possibility of splitting wards when considering boundaries for parliamentary constituencies?

4. Should the recommendations of the Boundary Commission be subject to approval by Parliament, as is the case at present?

5. How accurately does using the registered electorate as the basis for redrawing boundaries reflect the actual population of proposed constituencies?

6. What implications could the implementation of Individual Electoral Registration have for the next—and future—boundary reviews?

7. What are the consequences, including to electoral fairness, of not implementing changes to parliamentary constituency boundaries ahead of the 2015 general election?

8. Is there a case for reconsidering the reduction in the number of MPs from 650 to 600?
   - Should the Boundary Commissions be asked to draw up proposals for new boundaries based on the current number of MPs?
Formal Minutes

Monday 9 March 2015

Members present:

Mr Graham Allen, in the Chair

Tracey Crouch  Fabian Hamilton
Mark Durkan  Robert Neill
Paul Flynn  Chris Ruane
Duncan Hames  Mr Andrew Turner

Draft Report (What next on the redrawing of parliamentary constituency boundaries?), proposed by the Chair, brought up and read.

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

Paragraphs 1 to 99 read and agreed to.

Annex agreed to.

Summary agreed to.

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

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

Ordered, That embargoed copies of the Report be made available, in accordance with the provisions of Standing Order No. 134.

[Adjourned till Monday 16 March at 5.00 pm]
Witnesses

The following witnesses gave evidence. Transcripts can be viewed on the Committee's inquiry page at www.parliament.uk/what-next-redrawing-parliamentary-boundaries.

**Thursday 23 October 2014**

*Professor Ron Johnston*, School of Geographical Sciences, University of Bristol, and *Dr David Rossiter*, Former Research Fellow, Universities of Bristol, Leeds, Oxford and Sheffield  

**Thursday 27 November 2014**

*Tony Bellringer*, Secretary, Boundary Commission for England,  
*Hugh Buchanan*, former Secretary, Boundary Commission for Scotland,  
*Isabel Drummond-Murray*, Secretary, Boundary Commission for Scotland,  
*Steve Halsall*, Secretary, Boundary Commission for Wales, and *Dr William Smith*, Member, Boundary Commission for Northern Ireland

**Monday 12 January 2015**

*Lewis Baston*, Political Analyst  

*Mr Sam Gyimah MP*, Minister for the Constitution, Cabinet Office, and  
*Simon James*, Deputy Director, Elections Division, Cabinet Office
Published written evidence

The following written evidence was received and can be viewed on the Committee’s inquiry web page at www.parliament.uk/what-next-redrawing-parliamentary-boundaries. RPB numbers are generated by the evidence processing system and so may not be complete.

1. Professor Ron Johnston, Dr David Rossiter and Professor Charles Pattie (RPB0001)
2. John Cartwright (RPB0002)
3. Liam Pennington (RPB0003)
4. Paul Morris (RPB0004)
5. Unlock Democracy (RPB0005)
6. Association of Electoral Administrators Southern Branch (RPB0006)
7. David Boothroyd (RPB0007)
8. Manchester City Council (RPB0008)
9. Gateshead Council (RPB0009)
10. Boundary Commission For Scotland (RPB0010)
11. Boundary Commission For Wales (RPB0011)
12. Boundary Commission For Northern Ireland (RPB0012)
13. Boundary Commission For England (RPB0013)
14. Lewis Baston (RPB0014)
15. Robert Antony Hayward OBE (RPB0015)
16. London Borough Of Lambeth (RPB0016)
17. Craig Aston (RPB0017)
18. Adrian Bailey (RPB0018)
19. The Conservative Party (RPB0019)
20. Professor Ron Johnston, Dr David Rossiter and Professor Charles Pattie (RPB0020)
21. Rt Hon Carwyn Jones AM (RPB0021)
22. Boundary Commission For Northern Ireland (RPB0022)
23. Boundary Commission For Wales (RPB0023)
24. Boundary Commission For England (RPB0024)
25. Boundary Commission For Scotland (RPB0026)
26. Keep Cornwall Whole (RPB0027)
27. Mebyon Kernow - The Party For Cornwall (RPB0028)
28. Electoral Reform Society (RPB0029)
29. Dr Micah Altman, Massachusetts Institute of Technology, and Dr Michael P Mcdonald, University of Florida (RPB0030)
30. Government (RPB0031)
### List of Reports from the Committee during the current Parliament

All publications from the Committee are available on the Committee’s website at [www.parliament.uk/PCRC-publications](http://www.parliament.uk/PCRC-publications).

The reference number of the Government’s response to each Report is printed in brackets after the HC printing number.

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HC 440 (HC 1079)

Fifth Report  Pre-appointment hearing: The Chair of the House of Lords Appointments Commission

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Sixth Report  Introducing a statutory register of lobbyists: Government Response to the Committee’s Second Report of Session 2012-13

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Seventh Report  The Government’s lobbying Bill

HC 601 (801)

Eighth Report  Parliament’s role in conflict decisions: an update

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HC 251 (1079)

Tenth Report  The Government’s lobbying Bill: follow up

HC 891 (HC 535)

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Sixth Report  Voter engagement in the UK: follow up

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Eighth Report  What next on the redrawing of parliamentary constituency boundaries?

HC 600