



House of Commons  
Public Administration  
and Constitutional Affairs  
Committee

---

# Parliamentary Boundary Reviews: What Next?

---

*Report, together with formal minutes relating  
to the report*

*Ordered by the House of Commons  
to be printed 6 February 2018*

## Public Administration and Constitutional Affairs

The Public Administration and Constitutional Affairs Committee is appointed by the House of Commons to examine the reports of the Parliamentary Commissioner for Administration and the Health Service Commissioner for England, which are laid before this House, and matters in connection therewith; to consider matters relating to the quality and standards of administration provided by civil service departments, and other matters relating to the civil service; and to consider constitutional affairs.

### Current membership

[Mr Bernard Jenkin MP](#) (*Conservative, Harwich and North Essex*) (Chair)

[Sarah Champion MP](#) (*Labour, Rotherham*)

[Ronnie Cowan MP](#) (*Scottish National Party, Inverclyde*)

[Paul Flynn MP](#) (*Labour, Newport West*)

[Mr Marcus Fysh MP](#) (*Conservative, Yeovil*)

[Dame Cheryl Gillan MP](#) (*Conservative, Chesham and Amersham*)

[Kelvin Hopkins MP](#) (*Independent, Luton North*)

[Dr Rupa Huq MP](#) (*Labour, Ealing Central and Acton*)

[Mr David Jones MP](#) (*Conservative, Clwyd West*)

[Sandy Martin MP](#) (*Labour, Ipswich*)

[David Morris MP](#) (*Conservative, Morecambe and Lunesdale*)

### Powers

The committee is one of the departmental select committees, the powers of which are set out in House of Commons Standing Orders, principally in SO No 146. These are available on the internet via [www.parliament.uk](http://www.parliament.uk).

### Publication

Committee reports are published on the Committee's website at [www.parliament.uk/pacac](http://www.parliament.uk/pacac) and in print by Order of the House.

Evidence relating to this report is published on the [inquiry publications page](#) of the Committee's website.

### Committee staff

The current staff of the Committee are Dr Rebecca Davies (Clerk), Libby Kurien (Clerk), Ian Bradshaw (Second Clerk), Dr Patrick Thomas (Committee Specialist), Dr Philip Larkin (Committee Specialist), Makka Habre (Committee Specialist), Gabrielle Hill (Senior Committee Assistant), Iwona Hankin (Committee Assistant), and Mr Alex Paterson (Media Officer).

### Contacts

All correspondence should be addressed to the Clerk of the Public Administration and Constitutional Affairs Committee, House of Commons, London SW1A 0AA. The telephone number for general enquiries is 020 7219 3268; the Committee's email address is [pacac@parliament.uk](mailto:pacac@parliament.uk).

# Contents

---

<b>Summary</b>	<b>3</b>
<b>1 Introduction</b>	<b>4</b>
The Boundary Commissions	4
Development of the Boundary Review Process	5
‘Bias’ in Boundaries	6
Coalition Government’s Reforms in 2011	7
Uncertainty about the 2018 Review	9
<b>2 Alternatives to implementing the 2018 Review</b>	<b>10</b>
<b>3 A new boundary review before 2022?</b>	<b>12</b>
<b>Conclusions and recommendations</b>	<b>16</b>
<b>Formal minutes</b>	<b>17</b>
<b>Witnesses</b>	<b>18</b>
<b>Published correspondence</b>	<b>18</b>
<b>List of Reports from the Committee during the current Parliament</b>	<b>19</b>



## Summary

There are currently 650 parliamentary constituencies in the UK, each one represented by a Member of the House of Commons. Constituency boundaries shape our elections. They influence a candidate's chances of winning an individual constituency, and determine how a party's national vote translates into seats in the House of Commons and therefore who can form a Government.

Constituency boundaries are periodically reviewed by independent Boundary Commissions, one covering each of the constituent nations of the UK, using rules laid down in legislation. These rules were changed in 2011 by the then Coalition Government. The new legislation fixed the number of seats in the House of Commons at 600. The electoral quota, the average number of electors in each constituency, which had previously been different for each of the four nations of the UK was also made the same across the country and all seats had to be within 5% of it.

The changes to the rules and the reduction in the number of MPs have made the implementation of new boundaries contentious. The previous review, which was due to report in 2013, was cancelled.

The Commissions must publish their latest recommendations in September this year. Parliament will then have to decide whether or not to implement them.

Until a new set of boundaries is implemented, the existing ones continue to be used. These were introduced in 2005 in Scotland and 2010 in the rest of the UK, and were mostly based on data from 2000 and 2001. If the House of Commons chooses not to implement the Commissions' recommendations, there are two options for the General Election in 2022: i) to use the existing unequal boundaries, based on data that will, by then, be over twenty years old, or: ii) to amend the law and require a new review.

A new review would, realistically, require the truncation of the boundary review process so that new boundaries could be implemented by May 2022. This would have both costs and risks. In particular, it would reduce the extent of the Boundary Commissions' consultations with local communities on their proposed boundaries. However, this is an option worth exploring given the likely alternative.

Should the Government decide to wait until the autumn (when the Boundary Commissions publish their final recommendations) to consult Parliament it is unlikely that there would then be sufficient time to pass the required legislation and deliver a satisfactory review. We therefore recommend that the Government should give the House of Commons an early opportunity to debate the options for reform and consider the risks of legislating to end the current boundary review, in order to establish whether a consensus can be reached in time for legislation to be passed before the summer recess.

# 1 Introduction

---

1. There are currently 650 parliamentary constituencies in the United Kingdom, each electing one Member of Parliament. There are four Independent Boundary Commissions (the Commissions), one for each constituent nation of the UK, which develop proposals for constituency boundaries in accordance with rules set out in legislation.<sup>1</sup> Parliament then decides whether to implement the Commissions' recommendations. If they do, the new boundaries come into force at the next General Election.

2. Constituency boundaries, and the process of drawing them, are therefore a vital underpinning to the UK's democracy. They can influence the number of seats parties win in an election and who is elected as an MP to represent a particular community. The Commissions are required by law to propose a new set of boundaries by 1 October 2018 (the 2018 Review).<sup>2</sup> These new boundaries would implement the reduction in the number of MPs to 600 and the new rules for boundary reviews introduced in 2011. However, since the 2017 General Election there has been repeated speculation that the Government may not be able to secure a majority in the House of Commons to implement them.<sup>3</sup>

3. On 9 January 2018, we took oral evidence from the four Boundary Commissions; and Professor Jane Green of the University of Manchester, Professor Ron Johnston of the University of Bristol and Professor Roger Scully of the University of Cardiff; to explore the implications of not implementing the 2018 review. The Boundary Commissions provided further evidence in writing after the evidence session. We thank all of those who gave evidence to us.

4. Given the uncertainty over whether Parliament will support the implementation of the 2018 review, this report addresses the question of whether it would be practical to hold a new review that could be implemented prior to a general election in May 2022. This would require primary legislation. The report also highlights the potential costs and risks of amendments to the current timetable for carrying out boundary reviews that would be necessary to deliver new boundaries by 2022, and the problems with continuing to use the existing, arguably out of date, boundaries.

5. It concludes that it may be possible to cancel the current review and begin a new one that could be implemented in time for an election in 2022, but only if the Government takes immediate action, rather than wait until the autumn to make a decision.

## The Boundary Commissions

6. The UK's system for drawing boundaries is explicitly non-partisan, with a high-level of openness and significant opportunities for public consultation.<sup>4</sup> Proposing new parliamentary boundaries is the responsibility of the four independent Boundary Commissions which cover England, Wales, Scotland and Northern Ireland respectively.

---

1 Parliamentary Constituencies Act 1986, [schedule 2](#) (as amended)

2 Parliamentary Constituencies Act 1986 (as amended by Electoral Registration and Administration Act 2013, [Section 6](#)).

3 See for example, "[Boundary review plans abandoned as DUP will not back proposals](#)" *Daily Express*, 18 June 2017 and "[David Cameron's doomed pledge to 'cut the cost of politics' by slashing the number of MPs has left taxpayer with £10m bill](#)" *Mailonline*, 16 October 2017

4 ACE Electoral Knowledge Network [ACE Encyclopaedia: Boundary Delimitation 2nd Ed](#) (2013) accessed 28 December 2017

The Deputy Chair of each commission is a High Court Judge (or Judge of the Court of Session in Scotland) from the relevant judiciary, supported by two other independent commissioners.<sup>5</sup> Assistant commissioners can also be appointed to assist in carrying out reviews. The Commissions have a permanent secretariat, headed by the Secretary to the Commission.

7. Each Commission makes its final recommendations to the Government which then implements all four reviews, without being able to amend them, via a single Order in Council approved by both Houses of Parliament.<sup>6</sup> The new boundaries come into force for the next General Election.

## Development of the Boundary Review Process

8. The principle of all Parliamentary constituencies being represented by a single member, drawn by independent standing Boundary Commissions using a single set of rules, and periodically reviewed, was established through a series of reforms during the 1940s.<sup>7</sup> Previously constituencies had been defined in statute. The House of Commons (Redistribution of Seats) Act 1949 set the framework for the rules for redistribution that were broadly in place until 2011, albeit with repeated amendments.<sup>8</sup> They were:

- That the total number of constituencies should not be substantially greater than 625 (not less than 71 in Scotland (reduced to 59 in 2004), 35 in Wales and 12 in Northern Ireland, amended to 16 to 18 in 1979).
- That the Commissions should have regard for local government boundaries.
- That seats should be as close to the electoral quota, the number of eligible electors divided by the current number of constituencies, as possible whilst respecting the other rules. Quotas were calculated separately for each of the four constituent nations from 1958.
- That the Commissions could depart from strict application of the rules if there were special geographical considerations (e.g. in the Islands and Highlands of Scotland).<sup>9</sup>

9. No rule had supremacy, and following the House of Commons (Redistribution of Seats) Act 1958 (see paragraph 11 of this report) the Commissions prioritised respecting existing constituencies and local government boundaries where they could, making maintaining numerical parity in electorates harder. Owing to the fixed floors on their allocation of seats Scottish and Welsh constituencies were smaller than English ones. The setting of the electoral quota based on the number of seats recommended in the previous review led to an upwards trend in the number of MPs, as any new seats that were recommended in one review then became part of the baseline for the next.<sup>10</sup>

5 The Speaker of the House of Commons is the Chair ex officio of each commission, but takes no active role in their work.

6 Prior to the Parliamentary Voting System and Constituencies Act 2011 recommendations from individual commissions could be implemented separately.

7 For a summary of the history of redistribution see, Neil Johnston "The Parliamentary Constituencies (Amendment) Bill 2017–19" [Briefing Paper CBP 08146](#), House of Commons Library, 1 December 2017 pp12-16.

8 They were consolidated with later amendments into the Parliamentary Constituencies Act 1986, which, as amended, remains the substantive statute.

9 N. Johnston, "The Parliamentary Constituencies (Amendment) Bill 2017–19"

10 *ibid*

10. Between 1949 and 2011 there were several amendments to the rules. In 1958 the period between reviews was increased to 10 to 15 years, from the previous 3 to 7 years, and then reduced back to 8 to 12 in 1992.<sup>11</sup> The, then Labour, Government decided not to implement the second periodic review which reported in 1969.<sup>12</sup> The Conservatives alleged that this was owing to the bias in the old boundaries to Labour, and the Conservative Government of Edward Heath implemented the review in full in 1970.<sup>13</sup>

11. Most significantly, in 1958 reforms were introduced with the intent, according to the then Home Secretary R. A. Butler, “to bring in a presumption against making changes unless there is very strong case for them”.<sup>14</sup> This was in part a response to the previous redistribution where it was perceived that there had been too many changes to constituencies to maintain electoral parity. The 1958 Act shaped the Commissions’ approach to subsequent reviews.

### ‘Bias’ in Boundaries

12. Overall the rules and the way the Commissions interpreted them led to substantial differences in constituency electorates. Excluding island seats, in 2010 when the last review was implemented constituencies ranged from 40,707 electors in Arfon to 91,531 in East Ham.<sup>15</sup> These differences are not randomly distributed. At the 2015 General Election seats won by the Labour Party had on average approximately 4,000 fewer registered voters than those won by the Conservatives.<sup>16</sup> This reflects the geographic distribution of the parties’ voters, the systematically smaller constituencies in Scotland and particularly Wales, and the higher propensity of groups that tend to be more likely to vote Conservative to register to vote, rather than any deliberate bias in the system.<sup>17</sup>

13. It has been estimated that at the 2001 General Election, fought using the boundaries introduced in 1997, if the Labour and Conservative parties had received the same vote share, Labour would have received 142 more seats.<sup>18</sup> The Conservative Party subsequently included proposals to change the rules for redistribution to put much greater emphasis on electoral equality in their manifesto for the 2010 General Election.<sup>19</sup>

---

11 Oonagh Gay & Isobel White “*Parliamentary Voting System and Constituencies Bill 2010*”, [Research Paper 10/55](#), House of Commons Library, 01 September 2010

12 *ibid* p30

13 *ibid*

14 Quoted in *ibid* p29, this became the House of Commons (Redistribution of Seats) Act 1958.

15 Political and Constitutional Reform Committee, Eighth Report of Session 2014–15 [What next on the redrawing of parliamentary constituency boundaries?](#) HC 600, para 25. The constituencies protected in the 2011 Act were the existing Na h-Eileanan, and Orkney and Shetland constituencies and two on the Isle of White (which is currently covered by one large constituency).

16 John Curtice, “[The Geographical Challenge: How Winning Elections Has Become Much More Difficult for Labour](#)”, *The Political Quarterly*, Vol 88, No. 1, January-March 2017 pp 13-19

17 *ibid*

18 Labour won 355 seats with 35.2% of the vote and the Conservatives 198 with 32.4%. The calculation assumes both parties received 33.8% of the vote and applies a universal national swing. It does not take into account how the behaviour of third party voters or the parties’ decisions on where to target resources would have been effected, so is only a guide. Ron Johnston, Charles Pattie and David Rossiter, “[Local Inquiries or Public Hearings: Changes in Public Consultation over the Redistribution of UK Parliamentary Constituency Boundaries](#)” *Public Administration*, Vol 91, No. 3, (2013) pp 663-679.

19 Ron Johnston, David Rossiter & Charles Pattie, “[When is a Gerrymander not a Gerrymander: Who Benefits and Who Loses from the Changed Rules for Defining Parliamentary Constituencies?](#)” *The Political Quarterly* Vol. 88 No. 2 (2017), pp 211-220

14. However the ‘bias’ in the system has not remained fixed. The new boundaries introduced in 2010 did not equalise constituency sizes, with only 39% of constituencies having electorates within 5% of the average UK seat.<sup>20</sup> But at the 2015 General Election the Conservative party was favoured by 58 seats,<sup>21</sup> and by 11 seats at the 2017 General Election.<sup>22</sup> This is because ‘bias’ in boundaries is only partly a result of differences in constituency size. The relative propensity of a party’s supporters to vote, the effective targeting of campaigning resources to marginal seats, a ‘third’ party disproportionately taking votes or seats from one party, or the geographical distribution of a party’s support can also boost the number of seats a party receives for the same number of votes.<sup>23</sup>

15. Hence the swing in apparent bias in the system from the Labour Party to the Conservative Party between 2001 and 2015 was only partly a result of the new boundaries introduced in 2010 (2005 in Scotland). It also reflected the fact that the Conservative party won 27 seats from the Liberal Democrats, whilst the Scottish National Party, with its geographically concentrated vote, took 40 seats from the Labour Party.<sup>24</sup>

16. Any set of rules for drawing boundaries leaves a significant number of options for any single local area.<sup>25</sup> Which option is eventually chosen can have a significant effect on a party’s prospects of winning an individual seat.<sup>26</sup> The political parties therefore seek to influence reviews to their advantage during the public consultation on local proposals.<sup>27</sup>

17. During the English review between 2000 and 2007, one or more local political parties felt it worthwhile to trigger local inquiries in 66 of 82 local areas to contest the proposed boundaries.<sup>28</sup> The investment of the national Labour Party in organising their submissions to the previous review during the 1990s was later perceived by commentators as potentially being worth between 12 and 20 extra seats to the party, which increased the apparent bias in the boundaries during the 2000s.<sup>29</sup> The other parties increased their engagement in the subsequent boundary review.<sup>30</sup>

## Coalition Government’s Reforms in 2011

18. The Parliamentary Voting System and Constituencies Act 2011 (the 2011 Act) reformed the rules for redistribution.<sup>31</sup> As well as reducing the number of MPs in-order to “reduce the cost of politics”, the reforms were intended by the Conservative Party to address what they saw as biases in the existing system that favoured the Labour Party.<sup>32</sup>

---

20 PCRC [What next on the redrawing of parliamentary constituency boundaries? Para 26](#)

21 Johnston et al “When is a Gerrymander not a Gerrymander”

22 Q72

23 Johnston et al “When is a Gerrymander not a Gerrymander”

24 Labour won 12 Liberal Democrat seats. In 2015 the SNP won 56 seats with 4.7% of the UK wide vote, compared to the one seat the UK Independence Party won with 12.1% of the vote; *General Election 2015*, [Briefing Paper CBP7186](#), House of Commons Library, 28 July 2015. Curtice, “The Geographical Challenge”; Q70 & Q74.

25 Q47

26 “The Electoral Reform Society [“Fair Boundaries”](#)”, accessed 31 January 2018

27 Q64

28 Johnston et al “Local Inquiries or Public Hearings?”

29 ibid

30 ibid

31 [Parliamentary Voting System and Constituencies Act 2011](#)

32 [“Government publishes AV referendum Bill”](#), HM Government, 22 July 2010.

The new rules:<sup>33</sup>

- Fixed the number of constituencies in the UK at 600.
- Required all constituencies to be between 95% and 105% of the electoral quota, except for four protected constituencies, the existing Orkney and Shetland and Na h-Eileanan island constituencies in Scotland and two on the Isle of Wight. No constituency was to have an area of greater than 13,000 square kilometres.
- Set the electoral quota as being the total number of electors in the UK outside of the four protected constituencies divided by 596. Seats were distributed proportionally between the four nations, and the quota in each nation was the same. There was some flexibility for Northern Ireland reflecting its small size.
- Required fresh reviews every five years.
- A Boundary Commission, may also take into account:
  - “special geographical considerations, including in particular the size, shape and accessibility of a constituency;
  - local government boundaries as they exist on the most recent ordinary council-election day before the review date;
  - boundaries of existing constituencies;
  - any local ties that would be broken by changes in constituencies;
  - the inconveniences attendant on such changes.”<sup>34</sup>

19. Standardising the electoral quota across the UK, so seats are distributed between the constituent nations of the UK differently, combined with the reduction in the absolute number of seats, results in all four nations having a reduced number of MPs. The table below sets out the changes from the current distribution compared to the 2018 review.

Area	Old Seats	New Seats	Change
England	533	501	-32
Scotland	59	53	-6
Wales	40	29	-11
Northern Ireland	18	17	-1
Total	650	600	-50

20. The 2011 Act also made amendments to the process of public consultation. The previous requirement for formal public inquiries into any proposals that were subject to objections by a local authority or a group of 100 residents was removed.<sup>35</sup> Instead, the Commissions were required to hold between two and five public hearings in each of Scotland, Wales Northern Ireland and the nine English Regions, to last for no more than two days each. Oral representations could be made, but not questioned or contested by other interested parties as in the old inquiries.<sup>36</sup>

33 The rules are contained in Parliamentary Constituencies Act 1986, [Schedule 2](#) (as amended by the 2011 Act).

34 Parliamentary Constituencies Act 1986, [Schedule 2, 5 \(1\)](#)

35 Johnston et al “Local Inquiries or Public Hearings?”

36 *ibid*

21. The first review under the new rules was fixed in the Act to report in October 2013, eighteen months before the 2015 General Election. Given the provisions of the Fixed Term Parliaments Act it was assumed that each five-yearly review would continue to report 18 months prior to the next General Election. There is no provision to amend the dates of reviews in the event of an early election. The requirement to report in 2013 was subsequently changed to 2018 by the Electoral Registration and Administration Act 2013, after the Liberal Democrats withdrew their support for the 2013 Review when reform of the House of Lords did not achieve a majority in the House of Commons. This ended the 2013 Review.

## Uncertainty about the 2018 Review

22. The 2018 Review was launched in February 2016, in line with provisions of the 2011 Act. Following the 2017 General Election, given the likely opposition of opposition parties to the implementation of a review under the 2011 Act,<sup>37</sup> there has been ongoing speculation as to whether the 2018 Review will be cancelled.

23. There has been media speculation that the Democratic Unionist Party (DUP) will not support the final recommendations of the Boundary Commission for Northern Ireland (BCNI).<sup>38</sup> Under the 2011 Act all four Commissions' recommendations must be put to Parliament by the Government simultaneously and without amendment.<sup>39</sup> If the BCNI's initial proposals, which reflect a reduction in the total number of Northern Irish seats from 18 to 17, had been used for the 2017 General Election the DUP would have won three fewer seats and Sinn Fein two more.<sup>40</sup> In their response, the DUP stated their opposition to the principles underlying the reforms in the 2011 Act, as well as the detail of the proposed boundaries.<sup>41</sup> The BCNI released their revised proposals for consultation on 30 January.<sup>42</sup>

24. Notwithstanding the final position the DUP takes, several Government backbenchers have suggested that the decision to leave the European Union calls into question the desirability of reducing the number of MPs owing to the responsibilities that are now due to be repatriated to the UK Parliament.<sup>43</sup> Some Members have also raised questions about the impact of specific proposals on their local areas.<sup>44</sup>

25. Given these uncertainties the Government cannot be confident at this time that there will be support in the House of Commons to implement the recommendations of the 2018 Review. Therefore, unless a decision to cancel the review is made in the interim, the uncertainty and speculation concerning the 2018 review will continue until the autumn.

---

37 See for example "[Labour's anger over "unfair and undemocratic" boundary review which would abolish Corbyn's seat](#)" Labour List, 17 October 2017

38 See for example, "[Boundary review plans abandoned as DUP will not back proposals](#)" Daily Express, 18 June 2017, "[Nigel Dodds: Boundary Commission's constituency proposals need radical change](#)" (Belfast) *Newsletter* 18 October 2017

39 Q14

40 Martin Baxter, "[Northern Ireland: New Constituency Boundaries 2018](#)" on [www.electoralcalculus.co.uk](http://www.electoralcalculus.co.uk) accessed 20 December 2017

41 Democratic Unionist Party "[DUP Submission to the Boundary Commission for Northern Ireland 2018 Review – Provisional Proposals](#)" accessed 12 January 2018

42 "Boundary Commission for Northern Ireland "[Revised Proposals consultation](#)", 30 January 2018

43 HC Deb, 01 December 2017, [Col 611](#)

44 See for example Q33-37 or HC Deb, 01 December 2017, [Col 590 & 591](#)

## 2 Alternatives to implementing the 2018 Review

26. Until a new set of boundaries are implemented by an Order in Council approved by both Houses of Parliament the old boundaries remain in-force. The Boundary Commissions will not, under the current legislation, produce another set of proposals until 2023.<sup>45</sup> The current boundaries were first used in 2005 in Scotland and 2010 in the rest of the UK.<sup>46</sup> However the electoral registration data that was used to carry out those reviews was taken from 2000 in England, 2001 in Scotland and Wales, and 2003 in Northern Ireland.<sup>47</sup> Hence by 2022 the majority of seats would be drawn on the basis of 22 year old data.

27. As Professor Johnston explained, while the movement of population between urban and rural areas during most of the post war period that had tended to disadvantage the Conservative Party, has ended;<sup>48</sup> there is still significant change in the number of electors between seats over even short periods of time. From 2015 to 2016, for instance, the change in individual constituency electorates ranged from an 11.1% increase in Cardiff Central to a 6.7% decrease in Belfast West.<sup>49</sup>

28. As set out in paragraphs 12 to 14 above the current boundaries also reflect the old rules, with their substantial differences in constituency size. For example constituencies in Wales had an average of 57,045 electors per constituency at the 2015 election, compared to an average of 72,676 in England.<sup>50</sup> Professor Scully argued that the devolution of primary law making powers to the National Assembly for Wales meant this should be ended, in-line with the changes in Scotland following the creation of the Scottish Parliament.<sup>51</sup> As Steve Halsall of the Boundary Commission for Wales explained, using a UK wide electoral quota in the 2018 review reduces the number of Welsh seats from 40 to 29.<sup>52</sup>

29. Within the current legislation, the only alternative to the old boundaries would be the recommendations the Boundary Commissions make in September 2018 drawn using the rules in the 2011 Act and implementing the reduction of MPs to 600. If the legislation is not amended the subsequent review, due in 2023, will be carried out based on the rules in the 2011 Act whether the 2018 Review is implemented or not. However, as the Boundary Commissions made clear in their evidence to us it is within Parliament's powers to change the rules and ask the Commissions to make new proposals.<sup>53</sup>

45 Parliamentary Constituencies Act 1986, [Section 3\(2\)](#) (as amended by the Electoral Registration and Administration Act 2013)

46 Prior to the 2011 Act reviews could be implemented separately as each nation had a separate allocation of seats and electoral quota.

47 Q88; Boundary Commission for Scotland "Fifth Periodical Report of the Boundary Commission for Scotland", [CM 6427](#), December 2004, para 7; Boundary Commission for Northern Ireland "[Recommended Parliamentary Constituencies](#)", 3 October 2007.

48 Q81

49 Such large shifts in electorates are likely to be owing to changes in practice by the local electoral authority or an event causing an increase in registration locally, rather than shifts in population. However constituencies are drawn on the basis of numbers of registered electors rather than the local population. Office for National Statistics "[Electoral Statistics for the UK: 2016](#)", 16 March 2017

50 Curtice "The Geographical Challenge"

51 Q75 [Professor Scully], the National Assembly for Wales was granted primary law making powers in 2011, and the [Wales Act 2017](#) introduced a 'reserved powers' model similar to the Scottish Parliament.

52 Q11

53 Q20

30. One attempt to do this, the Parliamentary Constituencies (Amendment) Bill, received its second reading in the House of Commons on 1 December 2017.<sup>54</sup> This is a Private Members' Bill introduced by Afzal Khan. It would increase the allowed variance from the electoral quota to 7.5%, fix the number of MPs at 650 and require a new boundary review.<sup>55</sup> We have not considered the merits of the Bill and make no conclusion on them.<sup>56</sup> However, the fact that the Bill, which was supported at second reading by 214 Labour MPs,<sup>57</sup> accepts the principle that the number of MPs should be fixed and the same electoral quota used across the UK, fundamental components of the 2011 Act, suggests that there may be scope for cross party consensus on potential legislation.

31. Any new review would also use more up to date electoral registration data than the 2018 Review. This would address the concerns raised by Mr Khan and others that the December 2015 data which the Commissions, by law, have based the 2018 review on does not reflect the rise in registrations as a consequence of the EU referendum in 2016 and the General Election in 2017.<sup>58</sup> There were 2.1 million more registered voters in June 2017 compared to December 2015.<sup>59</sup>

**32. The Government cannot be confident that the House of Commons will support the implementation of the Boundary Commissions' recommendations in the autumn. The existing boundaries are based on data that is more than two decades old. Furthermore, they were drawn using rules that do not reflect the current reality of devolution in the UK. Therefore, using the existing boundaries is not a step that should be taken lightly given the significant influence that boundaries have on our elections. Amending the current legislation to facilitate a boundary review process that would command broader support in Parliament, and have updated boundaries in place by a General Election 2022, is therefore worthy of serious consideration. The Parliamentary Constituencies (Amendment) Bill suggests that, if there were will on both sides of the House to compromise, it would be possible to develop new rules that could attract broader support. It may provide Parliament and Government with a vehicle for debating and implementing legislative change.**

---

54 Mr Khan's Bill is a private members bill introduced through the ballot procedure. [Parliamentary Constituencies \(Amendment\) Bill](#) [Bill 009 (2017–19)].

55 N. Johnston, "The Parliamentary Constituencies (Amendment) Bill 2017–19". The size of the Commons peaked at 659 MPs following the implementation of the 4th Periodic Review in 1997 before being reduced to 650 by the 5th Periodic Review, Gay & White "Parliamentary Voting System and Constituencies Bill 2010"

56 In their supplementary written evidence, the English, Welsh and Northern Irish Commissions raised technical concerns about some details of the Bill, including the implied truncation of the time allowed for a review. [Letter from Sam Hartley](#), 24 January 2018.

57 HC Deb, 1 December 2017, [Col 637-638](#)

58 HC Deb, 1 December 2017, [Col 590](#). [There was also a surge in registrations reported in Scotland in 2014 prior to the referendum on independence](#), "Scottish Independence: 97% register to vote in referendum" *The Guardian* 11 September 2014. As far as these new voters over the age of 18 who remained on electoral register in December 2015 they will have been taken into account by the Scottish Boundary Commission.

59 N. Johnston "The Parliamentary Constituencies (Amendment) Bill 2017–19"

### 3 A new boundary review before 2022?

33. The timetable for the 2018 review in England is set out below, and the timetable for other Commissions' reviews are broadly similar.<sup>60</sup> The legislation requires the Commissions to report in September 2018 and that they must use electoral registration data from two years ten months prior to when they report. This essentially fixes the earliest date at which they can start a review, for the 2018 Review this was December 2015 meaning the review could not start until this was available in early 2016.<sup>61</sup>

Stage	Date
Review commenced	24 February 2016
Initial proposals published	13 September 2016
Initial consultation (including public hearings) closes	05 December 2016
Secondary consultation opens	28 February 2017
Secondary consultation closes	27 March 2017
Revised proposals published	17 October 2017
Revised proposal Consultation closes	11 December 2017
Final reports published	October 2018

34. In evidence to the Committee, Sam Hartley from the English Commission told us, “that we still do need those two years and 10 months at least—a three-year time period—to conduct the review in England.”<sup>62</sup> The three rounds of public consultation, and their length, are prescribed in the legislation.<sup>63</sup> Analysing and considering amendments in response to public representations absorb the majority of the rest of the time during the review.<sup>64</sup> Mr Hartley also advised that it was not simply a question of resources:

It is inherent in the project that our Commission and my secretariat really need to know the areas that they are looking at. It would not be much value to me to dump 50 staff on me for six months and say, “Go analyse those things”. “They need to know the regions that they are working on,” would be my advice to my commissioners if they asked about that.<sup>65</sup>

35. The 2011 Act set the timetable for reviews on the assumption that there would be an 18-month gap between the Commissions' final recommendations and the next General Election, given the terms of the Fixed Term Parliaments Act. There is no provision for adjusting the timetable of reviews if an early election is called. The eighteen-months is to allow local and national electoral administrators to prepare to hold the election on the new boundaries and for political parties to select candidates, and for them to campaign and engage with the local electorate.

60 The BCNI delayed publication of its revised proposals to January 2018. Full details are in Neil Johnston “Parliamentary Boundary Reviews: Public Consultation”, Briefing Paper [CBP 7696](#), House of Commons Library, October 2017.

61 *ibid*

62 Q23 [Sam Hartley]

63 The secondary consultation is only required in the highly unlikely event that the Commission does not propose any amendments to its initial proposals, N Johnston, “Parliamentary Boundary Reviews: Public Consultation”

64 Q20

65 Q21

36. Cancelling the current review and starting a new one requires primary legislation, whether or not the rules for redistribution are amended. In evidence Professor Henderson of the Scottish Boundary Commission stated that the point at which Parliament could legislate for a new review on the existing timetable that could be implemented before a General Election in May 2022 had already passed.<sup>66</sup> Parliament would therefore need to decide to truncate the period electoral administrators and political parties have to prepare once new boundaries are confirmed, remove some of the consultation stages during the review process, or both.

37. We did not take evidence on the risks of reducing the period local authorities and parties have to prepare for an election after new boundaries are finalised. We are, however, aware of the concerns raised by the Electoral Commission and others about the more general risks to the local administration of elections as a result of reduced funding and a shortage of experienced electoral administrators in local authorities that the snap General Election in 2017 exposed.<sup>67</sup> Therefore, the risks of truncating the period administrators have to prepare, and potential mitigations, will need in-depth consideration. However, the fact that the fifth periodic review in Scotland reported in November 2004, and the boundaries were used in the General Election in May 2005 suggests the obstacles are not insurmountable.<sup>68</sup>

38. The Boundary Commissions were clear in their oral evidence and subsequent correspondence that they value the public consultation process.<sup>69</sup> In particular it helps Commissioners understand how their proposals fit with local geography and community ties.<sup>70</sup> In some areas the Commissions' proposals can result in substantial public controversy.<sup>71</sup> In the 2018 Review the English Commission amended 55% of their initial proposals following the first round of consultations and the Scottish Commission 77%.<sup>72</sup>

39. So, reducing the opportunities for consultation would not be without cost to the quality of the boundaries, particularly if the principle of constituencies representing meaningful geographic communities continues to be highly valued.

40. On the other hand, the extent to which boundaries, and their fit with natural communities, is a matter of concern to the public should not be overestimated. There appears to be no systematic research available that has tested the salience of these issues with the public. As Professor Green explained, public opinion "is very different from the opinions of people that make representations to Commissions. That is not a criticism; it is just a statement of reality".<sup>73</sup> Professor Green also pointed out that research suggests that there is little consensus as to what form local communities take, even within them. When asked in experiments to draw their local community on a map few members of the public end up agreeing with their neighbours.<sup>74</sup>

66 Q23. To fit with the timetables of the 2013 and 2018 reviews the Commissions would need to begin a new review by the end of February 2018, which would require legislation to be passed and commenced by then.

67 Electoral Commission [The Administration of the June 2017 General Election](#), December 2017

68 Gay & White "*Parliamentary Voting System and Constituencies Bill 2010*"

69 Q36, Letter from Sam Hartley, 24 January 2018, Letter from Isabell Drummond-Murray, 29 January 2018

70 Q36

71 Q33-37

72 Q21 [Sam Hartley]; & Q37 [Professor Henderson]

73 Q93

74 Q136

41. Professor Johnston noted that a shift to much closer parity between electorates will also necessarily involve more constituencies that will cross traditional boundaries or are geographically inconvenient, “because of the constraints the Commissions have they have to make decisions that are unfortunate; they cannot get around them”.<sup>75</sup> This was the trade-off Parliament decided to make in the 2011 Act. Therefore, it may decide that the costs to the quality of the alignment of constituency boundaries to local community boundaries inherent in reducing the public consultation process are outweighed by the value of having up to date, and more equal, boundaries in 2022.

42. Exploring these options, and the trade-offs between them, does not commit the Government, or Parliament, to making a change. As the Commissions made clear in evidence they will continue work within the existing rules until Parliament changes them.<sup>76</sup> Ongoing speculation about the 2018 review will not prejudice its delivery if Parliament ultimately decides to implement it. As the Secretary to the Boundary Commission of Northern Ireland explained, “we just have to keep pressing on. Until we get to the point where Parliament tells us otherwise, we work to the timescale of reporting in September 2018”.<sup>77</sup> The costs are also relatively minor. Most of the costs for the 2018 review are now spent anyway no matter what decision is taken.<sup>78</sup> At £8m the cost of a further review is a fraction of the wider cost of our electoral system.<sup>79</sup>

**43. We conclude that, if it moved quickly, it would be possible for the Government to introduce new legislation to allow for a new boundary review and for it to be implemented prior to a 2022 election. However, the window for such a decision is short. It is likely that it will have closed by the autumn of this year, as by that time it is unlikely that a new review that would allow for sufficient public consultation could be delivered before 2022.**

**44. Even if legislation was brought forward immediately it is likely that it would be impossible for a new review to be carried out and implemented without either truncating the time between new boundaries being finalised and the next scheduled election, or reducing the level of public consultation in the process, or potentially both. None of these options would be without costs or risks. These would need to be properly debated by Parliament and a consensus reached. However, they do not immediately appear unsurmountable if Parliament decides this is the preferable option.**

**45. What is clear is that there are serious problems with using the existing boundaries for a further election in 2022, which appears to be the only likely alternative option given the Parliamentary arithmetic. They will be based on data that will be two decades old. They reflect neither the changes in population since 2000, nor how devolution has further affected the UK’s constitution, especially in respect to Wales.**

---

75 Q92

76 Q7-14

77 Q8

78 Q6

79 Letter from Sam Hartley, 24 January 2018. The cost of a Boundary Review is approximately 7% of holding a single General Election; Q109 [Professor Green].

*46. We therefore recommend that the House of Commons should be given an early opportunity to debate the options for reform and to decide whether or not to continue the current boundary review. In doing so the House would need to consider the potential risks of legislating, and establish if consensus can be reached in time for legislation to be passed before the summer. The Government should consider if the Parliamentary Constituencies (Amendment) Bill could provide such an opportunity.*

## Conclusions and recommendations

---

1. The Government cannot be confident that the House of Commons will support the implementation of the Boundary Commissions' recommendations in the autumn. The existing boundaries are based on data that is more than two decades old. Furthermore, they were drawn using rules that do not reflect the current reality of devolution in the UK. Therefore, using the existing boundaries is not a step that should be taken lightly given the significant influence that boundaries have on our elections. Amending the current legislation to facilitate a boundary review process that would command broader support in Parliament, and have updated boundaries in place by a General Election 2022, is therefore worthy of serious consideration. The Parliamentary Constituencies (Amendment) Bill suggests that, if there were will on both sides of the House to compromise, it would be possible to develop new rules that could attract broader support. It may provide Parliament and Government with a vehicle for debating and implementing legislative change. (Paragraph 32)
2. We conclude that, if it moved quickly, it would be possible for the Government to introduce new legislation to allow for a new boundary review and for it to be implemented prior to a 2022 election. However, the window for such a decision is short. It is likely that it will have closed by the autumn of this year, as by that time it is unlikely that a new review that would allow for sufficient public consultation could be delivered before 2022. (Paragraph 43)
3. Even if legislation was brought forward immediately it is likely that it would be impossible for a new review to be carried out and implemented without either truncating the time between new boundaries being finalised and the next scheduled election, or reducing the level of public consultation in the process, or potentially both. None of these options would be without costs or risks. These would need to be properly debated by Parliament and a consensus reached. However, they do not immediately appear unsurmountable if Parliament decides this is the preferable option. (Paragraph 44)
4. What is clear is that there are serious problems with using the existing boundaries for a further election in 2022, which appears to be the only likely alternative option given the Parliamentary arithmetic. They will be based on data that will be two decades old. They reflect neither the changes in population since 2000, nor how devolution has further affected the UK's constitution, especially in respect to Wales. (Paragraph 45)
5. *We therefore recommend that the House of Commons should be given an early opportunity to debate the options for reform and to decide whether or not to continue the current boundary review. In doing so the House would need to consider the potential risks of legislating, and establish if consensus can be reached in time for legislation to be passed before the summer. The Government should consider if the Parliamentary Constituencies (Amendment) Bill could provide such an opportunity.* (Paragraph 46)

# Formal minutes

---

**Tuesday 6 February 2018**

Members present:

Mr Bernard Jenkin, in the Chair

Ronnie Cowan	Dr Rupa Huq
Paul Flynn	Mr David Jones
Dame Cheryl Gillan	Sandy Martin
Kelvin Hopkins	David Morris

Draft Report (*Parliamentary Boundary Reviews: What Next?*), proposed by the Chair, brought up, and read.

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

Paragraphs 1 to 46 read and agreed to.

Summary read and agreed to.

*Resolved*, That the Report be the Second 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 under Standing Order No. 134.

[Adjourned till Tuesday 20 February

## Witnesses

---

The following witnesses gave evidence. Transcripts can be viewed on the [inquiry publications page](#) of the Committee's website.

### Tuesday 9 January 2018

*Question number*

**Steve Halsall**, Secretary to the Boundary Commission for Wales, **Sam Hartley**, Secretary to the Boundary Commission for England, **Professor Alisa Henderson**, Commissioner, Boundary Commission for Scotland, and **Eamonn McConville**, Secretary to the Boundary Commission for Northern Ireland

[Q1-62](#)

**Professor Jane Green**, University of Manchester, **Professor Ron Johnston**, University of Bristol, and **Professor Roger Scully**, University of Cardiff

[Q63-137](#)

## Published correspondence

---

The following correspondence was received and can be viewed on the [inquiry publications page](#) of the Committee's website.

- 1 [Letter to the Chair from the Boundary Commission for Scotland, 29 January 2018](#)
- 2 [Letter to the Chair from the Boundary Commission for England, 24 January 2018](#)

# List of Reports from the Committee during the current Parliament

---

All publications from the Committee are available on the [publications page](#) of the Committee's website. The reference number of the Government's response to each Report is printed in brackets after the HC printing number.

## Session 2017–19

First Report	Devolution and Exiting the EU and Clause 11 of the European Union (Withdrawal) Bill: Issues for Consideration	HC 484
First Special Report	Will the NHS never learn? Follow-up to PHSO report 'Learning from Mistakes' on the NHS in England: Government Response to the Committee's Seventh Report of Session 2016–17	HC 441
Second Special Report	The Future of the Union, part two: Inter-institutional relations in the UK: Government Response to the Sixth Report from the Committee, Session 2016–17	HC 442
Third Special Report	Lessons still to be learned from the Chilcot inquiry: Government Response to the Committee's Tenth Report of Session 2016–17	HC 708
Fourth Special Report	Government Response to the Committee's Thirteenth Report of Session 2016-7: Managing Ministers' and officials' conflicts of interest: time for clearer values, principles and action	HC 731