



BRIEFING PAPER

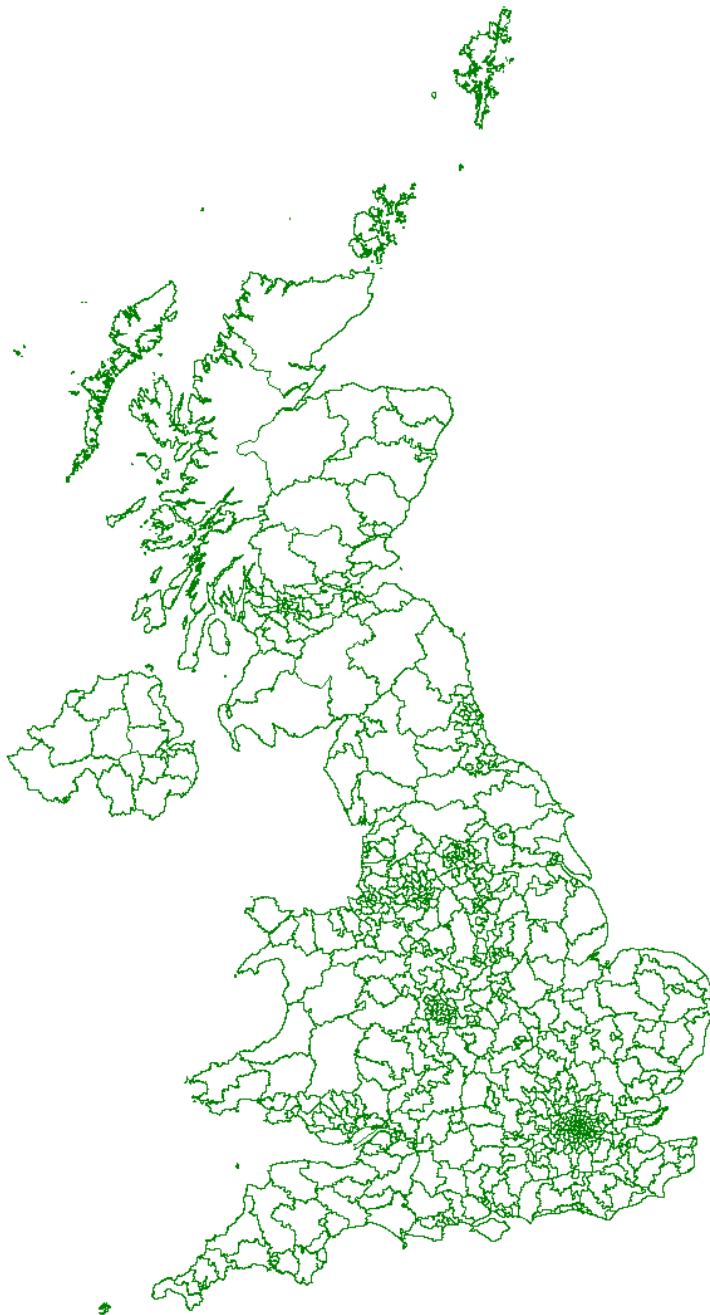
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Parliamentary boundary reviews: public consultations

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Summary

This briefing summarises the consultation process that the four boundary commissions in the UK have to follow during their reviews of Parliamentary constituencies.

Background

The *Parliamentary Voting System and Constituencies Act 2011* made provision for the number of constituencies to be reduced to 600. There is more information on the background to boundary reviews and the reduction in the number of Members of Parliament in the Library briefing [Constituency boundary reviews and the number of MPs](#).

As well as reducing the number of seats in the House of Commons, the 2011 Act made changes to the way the review process was conducted and how the public should be consulted on the proposals by amending the *Parliamentary Constituencies Act 1986*. This briefing paper summarises the stages of the consultation process introduced by the 2011 Act.

Previously the public consultation process was based on an inquiry system. When initial proposals were published the boundary commissions invited written submissions. If enough written submissions were received an assistant commissioner would conduct a quasi-judicial inquiry. There was no statutory procedure for local inquiries and the operation of them was left to the discretion of the assistant commissioner.

The 2011 Act revised the statutory provisions for public consultations and inquiries.

The initial recommendation consultation process is split into initial and secondary consultation periods and the old inquiry system is replaced with public hearings.

There is also a consultation period if revised proposals are published by one of the commissions.

The four commissions for each of the nations of the UK will publish more details on their websites:

[Boundary Commission for England](#)

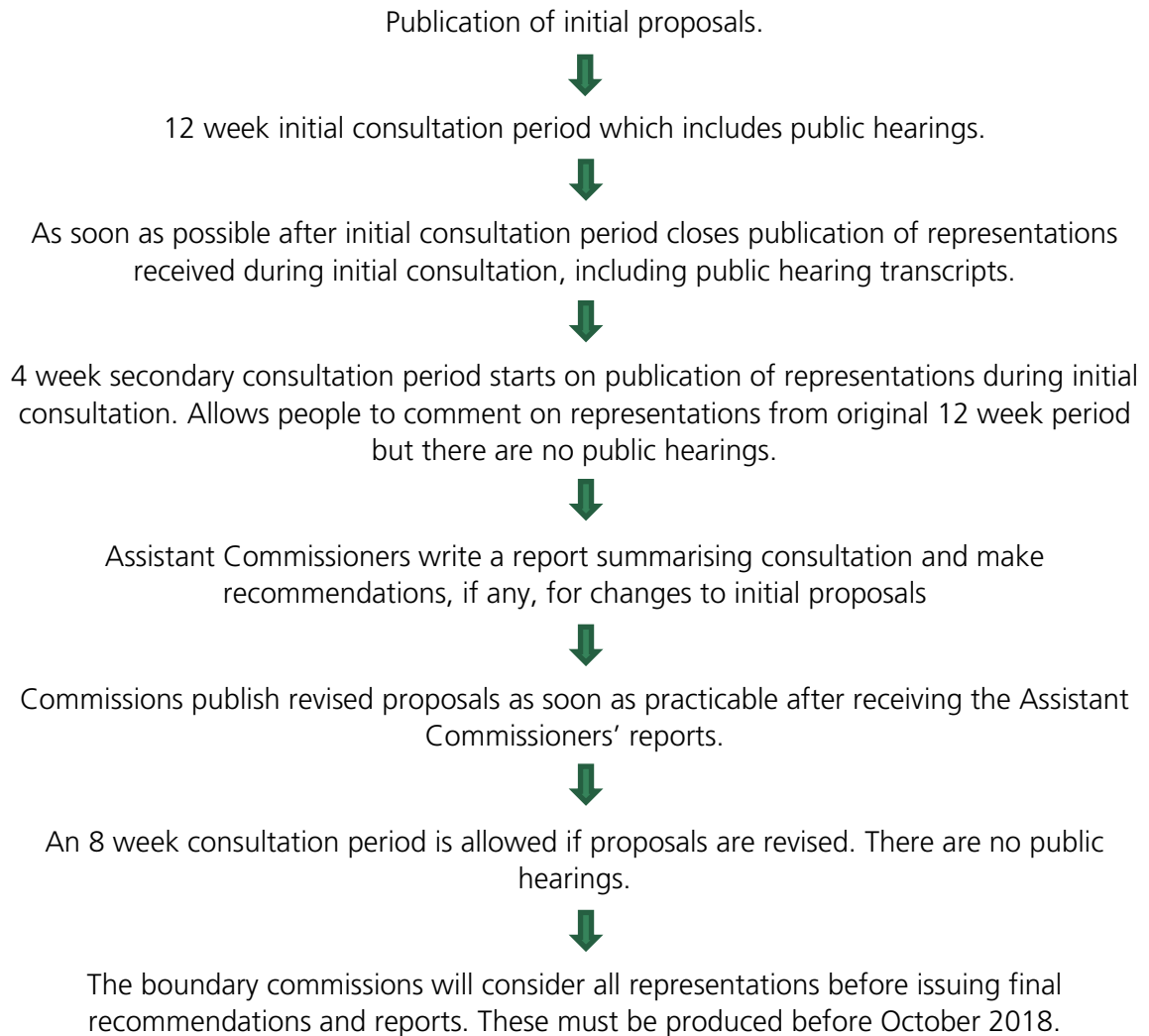
[Boundary Commission for Scotland](#)

[Boundary Commission for Wales](#)

[Boundary Commission for Northern Ireland](#)

1. Consultation stages

Summary of consultation stages



Although the time periods for each period of consultation are laid out in the legislation, the dates on which they commence is a matter for the individual boundary commissions.

The provisions for public hearings are also laid out in the legislation. They can only be held during the 12 week initial period. There are no provisions for public hearings at other stages of the consultation.

The boundary commissions will place equal weight on all representations regardless of whether they are written, made in person at hearings or submitted electronically.

1.1 Dates

There are statutory dates at the beginning and end of the boundary review process and there are statutory lengths of time for consultation periods within the review process. These are triggered by the dates that proposals (or submissions received in the case of the secondary consultation) are published. However, the boundary commissions are not bound by specific dates on which stages of the review need to happen.

The dates for the various stages of the current review are shown in the table in Section 2.

The four boundary commissions must complete the current review and hand reports to the Government by 1 October 2018. Subsequent reviews will report every five years after that.

The statutory date for electorate figures to be used for the review is set as two years and ten months before the review is required to report to the Government. For this review it is 1 December 2015. There is no provision to revise the data following the increase in electoral registration in the run up to the EU referendum in June 2016.

1.2 Initial consultation

The initial consultation starts with the publication of the Boundary Commissions' initial proposals and runs for 12 weeks from the publication date.

Section 12 of the *Parliamentary Voting System and Constituencies Act 2011* amends Section 5 of the *Parliamentary Constituencies Act 1986* on Notices and replaces it with the requirement that "the Commissions shall take such steps as they think fit to inform people in each of the proposed constituencies" of what the initial proposals are, where the proposals can be inspected in each constituency and that written representations may be made.¹ It therefore removed the requirement that Parliamentary boundary reviews should be started with an announcement in the London, Edinburgh and Belfast Gazettes.

Each Boundary Commission is required to publish all the representations it has received during the initial consultation and the records of the public hearings held. Each Commission can again achieve this "as they think fit".² Publication of the representations and transcripts triggers the secondary consultation (see Secondary consultation below).

Public hearings

The 2011 Act added a new Schedule 2A into the *Parliamentary Constituencies Act 1986* which replaced the old inquiry system with the new public hearings system. These are designed to allow people to make representations to the commissions relating to initial proposals and to allow for counter-proposals to be suggested. They are not

¹ *Parliamentary Voting System and Constituencies Act 2011* (Chapter 1 2011) Section 12

² *Ibid*, Section 12 (4)

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designed to be a forum for cross examination of other ‘witnesses’ in the way the public inquiries used to be.

The new Schedule states that the boundary commissions in Northern Ireland, Scotland and Wales have to arrange for at least two and no more than five public hearings to hear oral representations in each country. The Boundary Commission for England has to make arrangements for least 2 and no more than 5 hearings in each region.

Each hearing has to be no longer than two days and has to be held in a 5 week window within the 12 week initial consultation (from the beginning of the fifth week to the end of the tenth week). The boundary commissions have to appoint an independent person to chair each hearing.

The *Parliamentary Voting System and Constituencies Bill* originally only made provision for written representations to replace the previous system of representations and local inquiries. During the Second Reading debate on the Bill, Mark Harper, then Minister for Political and Constitutional Reform, responded to criticism of the abolition of local inquiries by citing academic opinion on the matter:

They have described oral inquiries as ‘very largely an exercise in allowing the political parties to seek influence over the Commission’s recommendations – in which their sole goal is to promote their own electoral interests.’ They also say that ‘it would be a major error to assume that the consultation process largely involves the general public having its say on the recommendation.’³

During the extended Lords Committee stage of the Bill the Government announced that it would make concessions on certain points and would bring in number of amendments at Report Stage. One of these related to the demand for a public hearing stage in the consultation process.

The Government still intended to abolish the public inquiry process held in previous reviews but tabled an amendment to allow public hearings in the initial consultation. Lord Falconer, for the Opposition, moved an amendment to retain a modified version of the current public inquiry. This amendment was lost by 266 votes to 262 and the Government amendment accepted.⁴

1.3 Secondary consultation

As soon as is practicable the commissions must publish all the submissions received during the initial consultation, including transcripts of the public hearings. This triggers the secondary consultation period of four weeks.

The secondary consultation is an opportunity for people to comment on the content of the representations received by the Boundary Commissions in the initial consultation.

³ [HC Deb 6 September 2010, c128](#)

⁴ [HL Deb 8 February 2011, c153](#)

The Boundary Commissions are required to publicise the fact that the documentation has been published and that further submissions commenting on these representations about the initial consultation are being sought.

In this four week period people can submit written submissions only. There are no public hearings.

The provisions for this counter-proposal stage were, like the public hearing stage, also introduced as a Government amendment to the *Parliamentary Voting System and Constituencies Bill* in the House of Lords.

When promising government amendments at Report stage, Lord Wallace of Tankerness, the government spokesman in the Lords, stated during the Lords Committee stage:

These two changes - a public hearing stage, aimed at improving public understanding and letting the public have their say in the process, and a counter-representation period -represent substantial changes to the proposals that were initially in the Bill. I hope that the House will agree that the Government have been willing to show considerable flexibility and a willingness to accommodate reasonable concerns, reasonably expressed.⁵

At the end of the secondary consultation the boundary commissioners, with the support of assistant commissioners, have to consider all the representations they have received from both the initial and secondary consultations. Representations have equal weight regardless of how they were submitted or whether they were from the initial or secondary consultation.

1.4 Revised proposals

If a boundary commission decides to alter its proposals after the end of the secondary consultation, revised recommendations will be published.

The publication of the revised proposals trigger a further eight weeks public consultation. Public hearings are not held during this consultation and there is no secondary counter-proposal stage of consultation.

The Boundary Commission for Northern Ireland has said it will publish submissions on its website.⁶ The boundary commissions for England and Wales have said they will publish submissions on the revised proposals at the time they publish their final recommendations and reports.⁷

1.5 Final recommendations and report

The four commissions are required to publish their final recommendations and reports before 1 October 2018.

⁵ [HL Deb 31 January 2011, c1223](#)

⁶ Boundary Commission for Northern Ireland, *Guide to the 2018 review of Parliamentary Constituencies*, August 2016, p9

⁷ Boundary Commission for Wales, *Guide to the 2018 review*, p14 and Boundary Commission for England, *Guide to the 2018 Review of Parliamentary Constituencies*, p16

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These final reports will take into account written representations received during the eight week consultation following the publication of the revised proposals.

Once the reports and recommendations are submitted to the Government the four commissions' involvement in the review is concluded.

1.6 Parliamentary Approval

Once the Government receives the reports from the four boundary commissions it must lay them before Parliament. If any new constituency boundaries are required the Government must lay a draft Order in Council before Parliament to give effect to the changes. Following the last review there were separate Orders for each nation of the UK.

At this stage the Government cannot make alterations to the recommendations unless it has been expressly requested to by a boundary commission.

The draft Order in Council must be approved by both Houses of Parliament. If approved the Orders are submitted to be made by Her Majesty in Council.

The constituencies do not take effect until the next general election, due to be May 2022 under the provisions of the *Fixed-term Parliaments Act 2011*.

Any by-elections in the time between the Orders being approved and the next general election are held using the current constituency boundaries.

If Parliament does not approve the draft Orders the Government may then amend the proposals and lay new draft Orders in Council. These will still require Parliamentary approval to take effect.

The validity of an Order in Council, once made, cannot be called into question in any legal proceedings.

2. 2018 Review dates

This grid shows the dates currently known for the 2018 Review. The equivalent dates for 2013 are shown in the Appendix B.

Stage	England	Scotland	Northern Ireland	Wales
Review commenced	24 February 2016	24 February 2016	24 February 2016	24 February 2016
Initial proposals published	13 September 2016	20 October 2016	06 September 2016	13 September 2016
Initial consultation closed	05 December 2016	11 January 2017	28 November 2016	05 December 2016
Secondary Consultation opens	28 February 2017	28 February 2017	05 September 2017	28 February 2017
Secondary consultation closes	27 March 2017	27 March 2017	02 October 2017	27 March 2017
Revised proposals published				
Revised proposal consultation closes				

Appendix A – Public hearings dates and locations

Northern Ireland

Date	Location
05 October 2016	Tullyglass Hotel, Ballymena
11 October 2016	Silverbirch hotel, Omagh
20 October 2016	Ramada Hotel, Shaws Bridge, Belfast
25 October 2016	Seagoe Hotel, Portadown

Wales

Date	Location
12-13 October 2016	Ivy Bush Royal hotel, Carmarthen
19-20 October 2016	The Management Centre, Bangor University
26-27 October 2016	Mercure Holland House, Cardiff
02-03 November 2016	Metropole Hotel, Llandrindod
09-10 November 2016	Catrin Finch Centre, Glydwr University, Wrexham

Scotland

Date	Location
24 November 2016	Royal Concert Hall, 220 Buchanan Street, Glasgow
29 November 2016	The City Chambers, 14 City Square, Dundee
01 December 2016	Ayr Town Hall, New Bridge Street, Ayr
05 December 2016	The Town House, High Street, Inverness
07 December 2016	Apex Hotel, Waterloo Place, Edinburgh

England

North West

Date	Location
11-12 October 2016	The Midland Hotel, Manchester
13-14 October 2016	The Hallmark Hotel, Chester
17-18 October 2016	Carlisle City Council, Carlisle
20-21 October 2016	The Cotton Exchange, Liverpool
24-25 October 2016	The Storey, Lancaster

Yorkshire and the Humber

Date	Location
13-14 October 2016	Aspire, Leeds
17-18 October 2016	Sheffield Town Hall, Sheffield
20-21 October 2016	Hambleton District Council, Northallerton
24-25 October 2016	Mercure Hull Royal Hotel, Hull

London

Date	Location
17-18 October 2016	Central Hall, Westminster
20-21 October 2016	Bromley United reform Church Hall, Bromley
24-25 October 2016	Kenton Hall, Harrow
27-28 October 2016	The Main Guildhall, Kingston upon Thames
31 October-1 November 2016	Havering Town Hall, Romford

South East

Date	Location
20-21 October 2016	Guildford Harbour Hotel, Guildford
24-25 October 2016	Oxford Town Hall, Oxford
27-28 October 2016	Portsmouth Guildhall, Portsmouth
31 October-1 November 2016	Jurys Inn Hotel, Brighton
3- 4 November 2016	Kent County Council, Maidstone

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East Midlands

Date	Location
27-28 October 2016	Cathedral Quarter hotel, Derby
31 October-1 November 2016	Northampton Council, The Guildhall, Northampton
3- 4 November 2016	Bishop Grosseteste College university, Lincoln

Eastern

Date	Location
31 October-1 November 2016	Civic Centre, Chelmsford
3-4 November 2016	The Assembly House, Norwich
7-8 November 2016	Town Hall, Luton
10-11 November 2016	Guildhall, Cambridge

West Midlands

Date	Location
3-4 November 2016	Council House, Birmingham
7-8 November 2016	Prince Rupert Hotel, Shrewsbury
10-11 November 2016	Royal Pump Rooms, Royal Leamington Spa
14-15 November 2016	County Buildings, Stafford

South East

Date	Location
7-8 November 2016	Mercure Exeter Rougemont, Exeter
10-11 November 2016	New County Hall, Truro
14-15 November 2016	RNLI College, Poole
17-18 November 2016	City Hall, Bristol

North East

Date	Location
14-15 November 2016	Royal Station Hote, Newcastle upon Tyne
17-18 November 2016	Mercure Darlington Kings Hotel, Darlington

Appendix B – The 2013 Review

The timetable for the 2013 review of each Boundary Commission is shown in the table below.

In October 2012, an amendment was tabled to the Electoral Registration and Administration Bill 2012-13 during the Committee stage in the House of Lords.

The amendment postponed the date on which the Boundary Commissions would have to submit their final reports to the Secretary of State to 2018.

This had the effect of ending the 2013 review. The amendment was passed in January 2013 and the Bill received Royal Assent on 31 January 2013. All four Boundary Commissions subsequently announced that the 2013 Review would therefore cease.

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Stage	England	Scotland	Northern Ireland	Wales
Review commenced	04 March 2011	04 March 2011	04 March 2011	04 March 2011
Initial proposals published	13 September 2011	13 October 2011	13 September 2011	11 January 2012
Initial consultation closed	05 December 2011	04 January 2012	02 December 2011	04 April 2012
Secondary Consultation opens	06 March 2012	01 March 2012	31 January 2012	13 June 2012
Secondary consultation closes	03 April 2012	28 March 2012	27 February 2012	10 July 2012
Revised proposals published	16 October 2012	13 September 2012	16 October 2012	24 October 2012
Revised proposal consultation closes	10 December 2012	07 November 2012	10 December 2012	18 December 2012
Review cancelled	31 January 2013	31 January 2013	31 January 2013	31 January 2013

Source: Library briefing *The Sixth General Review of constituency boundaries: public consultations* SN/PC/06223

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