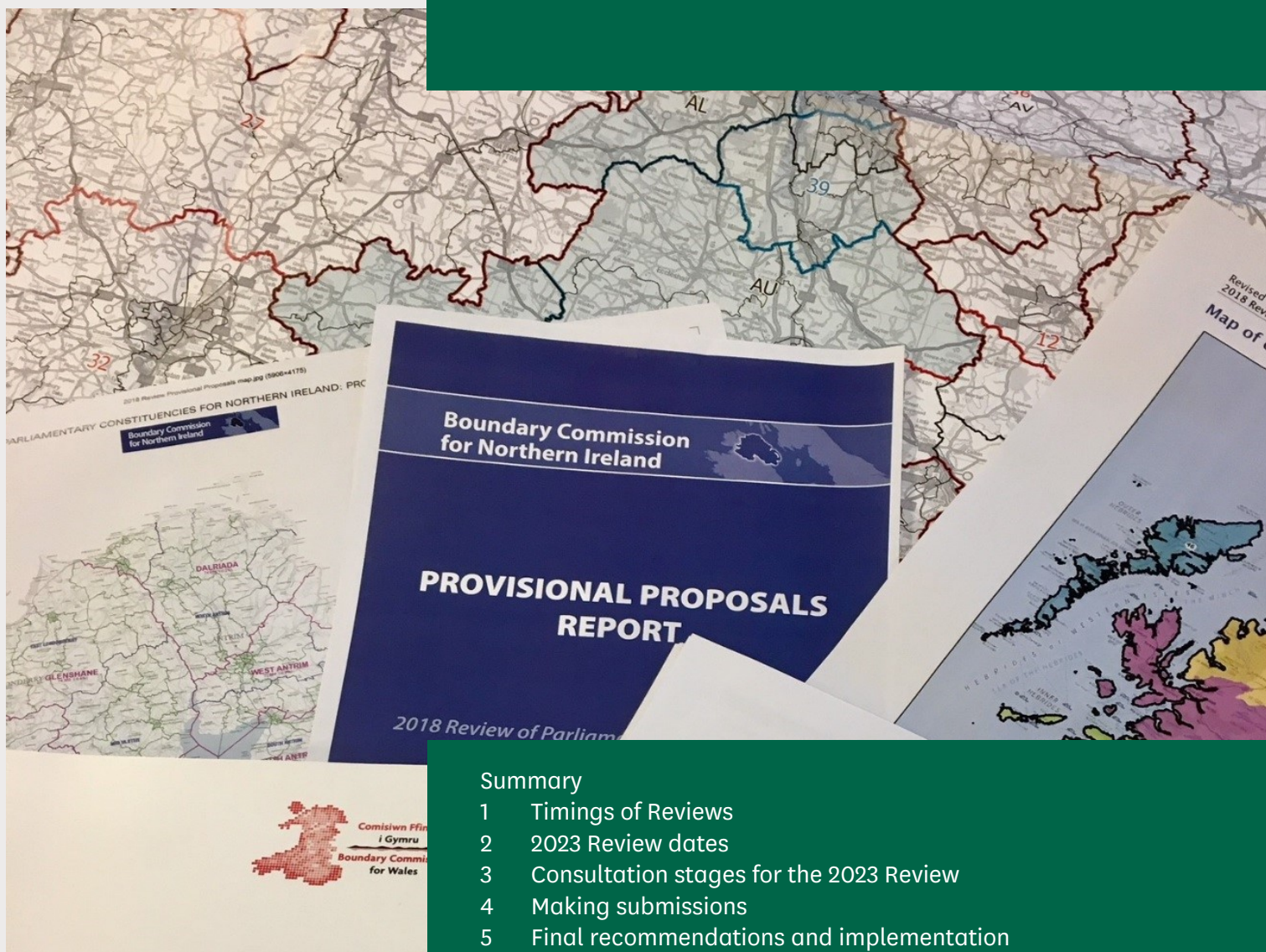


By Neil Johnston

14 October 2021

# Parliamentary boundary reviews: public consultations



## Summary

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## Summary

The number of constituencies in the House of Commons is fixed at 650.

Periodic boundary reviews occur so that constituencies are altered occasionally to take account of changes in population. Changes are also made to reflect local government boundary changes, so that administrative boundaries coincide as much as possible.

Reviews are undertaken by independent Boundary Commissions. There are four Commissions, one for each of the nations of the UK.

Public consultations form an important part of boundary reviews. This briefing summarises the public consultation process followed by the Boundary Commissions.

There is more information on the background to boundary reviews and the number of Members of Parliament in the Library briefing [Constituency boundary reviews and the number of MPs \(SN05929\)](#).

### The 2023 Review

The Commissions jointly announced the start of the new review in January 2021.

The number of seats allocated to each part of the UK is calculated using the total electorate. For the 2023 Review this is based on the Parliamentary electorate as of 2 March 2020. This figure is the highest on record.

2023 Review - allocation of seats				
	Electorate	Current	2023 Review	Change
<b>England</b>	39,860,421	533	543	+10
<b>Scotland</b>	4,079,612	59	57	-2
<b>Wales</b>	2,332,677	40	32	-8
<b>Northern Ireland</b>	1,295,688	18	18	0
<b>Total</b>	47,558,398	650	650	

Source: Boundary Commissions

All seats must have an electorate within 5% of the UK average. The average electorate is known as the ‘electoral quota’.

Five island seats are exempt from this rule - Orkney and Shetland, Na h-Eileanan an Iar, Ynys Môn, and the two seats allocated to the Isle of Wight – and their electorates are not included in the calculation for the quota.

For the 2023 Review the electoral quota is 73,393, with the electorate of each constituency required to be between 69,724 and 77,062 electors.

The next review must be completed by 1 July 2023. Subsequent reviews will be required every eight years.

## Public consultations

The timings of the start of consultation periods are a matter for the Commissions, subject to meeting the 1 July 2023 for completing the Review.

2023 Review - consultation stages				
Stage	England	Scotland	Wales	Northern Ireland
Review commences	05 January 2021	05 January 2021	05 January 2021	05 January 2021
Initial proposals published	08 June 2021	14 October 2021	18 August 2021	TBC
Initial consultation closes	02 August 2021	08 December 2021	03 November 2021	

Source: Boundary Commissions

There are some statutory provisions that the Commissions must follow on the format and timing of the consultations. These are set out in the [Parliamentary Constituencies Act 1986](#), as amended.

When a Commission publishes initial or revised recommendations for proposed constituency boundaries the publication triggers the public consultation provisions.

For the **2023 Review** the following consultation periods will be held:

- **The initial consultation period** - initial proposals will be published triggering an 8-week consultation where written submissions may be made. Each Commission must publish all submissions received at the end of the 8-week period.
- **The secondary consultation period** – publication of the initial submissions triggers a second 6-week period, including **public hearings**. The public can make additional representations, including counter-proposals to those responses received in the first eight-week period.

- **The third consultation period** – if, after the initial and secondary periods, a Commission decides to revise its proposals then publication of revised recommendations will trigger a third consultation lasting 4 weeks. No public hearings will be held.

Timings for subsequent reviews will be altered so each of the three phases of consultation must last 8 weeks.

The Commissions will publish more details on their 2023 Review pages on their websites:

[Boundary Commission for England](#)

[Boundary Commission for Scotland](#)

[Boundary Commission for Wales](#)

[Boundary Commission for Northern Ireland](#)

## Implementing the recommendations

The 2023 Review will be the first to be implemented under the new arrangements brought in by the [Parliamentary Constituencies Act 2020](#).

The final reports of the Commissions must be delivered to the Speaker of the House of Commons. At the same time the Commissions must send copies to the Government. The Speaker is responsible for laying the final reports. Once laid the Commissions can publish the reports.

The Government must draw up a draft Order in Council containing the final recommendations of the Commissions without amendment. This must be within four months of the final report being laid. Parliament has no role in approving the draft Order. It is submitted to Her Majesty in Council, where it is approved.

Once the draft Order is approved the boundaries are implemented at the next general election.

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# 1 Timings of Reviews

Periodic boundary reviews occur so that constituencies are altered occasionally to take account of changes in population over time. Changes are also made to reflect local government boundary changes, so that administrative boundaries coincide as much as possible.

Reviews are undertaken by independent Boundary Commissions. There are four Commissions, one for each of the nations of the UK.

The timings of reviews are set out in the [Parliamentary Constituencies Act 1986](#), as amended by the [Parliamentary Constituencies Act 2020](#).

Each Boundary Commission must submit a final report of a boundary review:

- before 1 July 2023,
- before 1 October 2031, and
- before 1 October of every eighth year after that.<sup>1</sup>

Before 2011, Commissions were required to announce the start of a review in the London, Edinburgh and Belfast Gazettes. Now the announcement of the start of a review can be announced as the Commissions see fit.

Boundary reviews are based on the number of people on the register of electors for UK Parliamentary elections on a given date.

For the 2023 Review the registers are those in force on 2 March 2020. The March 2020 registers have the highest number of Parliamentary electors ever recorded.<sup>2</sup>

For subsequent reviews the data to be used are the electoral registers in force 2 years and 10 months before the deadline for reports. For example, the 1 October 2031 review must be based on electoral registers in force on 1 December 2028.

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<sup>1</sup> Section 3 of the Parliamentary Constituencies Act 1986, as amended

<sup>2</sup> ONS, [Electoral statistics, UK: December 2020](#), 24 May 2021



## 2

## 2023 Review dates

The Boundary Commissions are not bound by specific dates on which stages of the review need to happen. They just need to meet the deadline for the final report.

As noted in section 1, the Commissions must submit their final recommendations to the Speaker of the House by the date set out in the legislation, 1 July 2023. Seats will be allocated as based on the electoral register data to for the registers in force on 2 March 2020.

The table below shows the allocation of seats by region and nation.

2023 Review allocation of seats - House of Commons		
	Allocation	Change from current
<b>England</b>	543	+10
East Midlands	47	+1
Eastern	61	+3
London	75	+2
North East	27	-2
North West	73	-2
South East	91	+7
South West	58	+3
West Midlands	57	-2
Yorkshire and the Humber	54	0
<b>Scotland</b>	57	-2
<b>Wales</b>	32	-8
<b>Northern Ireland</b>	18	0
<b>Total</b>	650	0
Sources:		
Boundary Commissions, various reports		
Boundary Commissions, various announcements of 2023 Review		

Source:

Boundary Commissions, various reports

Boundary Commissions, various announcements of 2023 Review



The Boundary Commissions formally launched the 2023 review on 5 January 2021.

The consultation phases are triggered by the dates that proposals are published.

Although the dates for launching a consultation are a matter for the Commissions, there are statutory lengths of time for consultation periods within the review process. There are also statutory provisions relating to public hearings. These can only be held during the secondary consultation.

The Boundary Commission for England published its [initial recommendations](#) on 8 June 2021.<sup>3</sup> The Welsh Commission published [initial proposals](#) on 18 August 2021. The Boundary Commission for Scotland [published initial proposals](#) on 14 October 2021.

The Commission in Northern Ireland has said that initial proposals will be published later in 2021.

Details of the Review can be found on the Commissions' websites:

- [Boundary Commission for England](#);
- [Boundary Commission for Scotland](#);
- [Boundary Commission for Wales](#);
- [Boundary Commission for Northern Ireland](#).

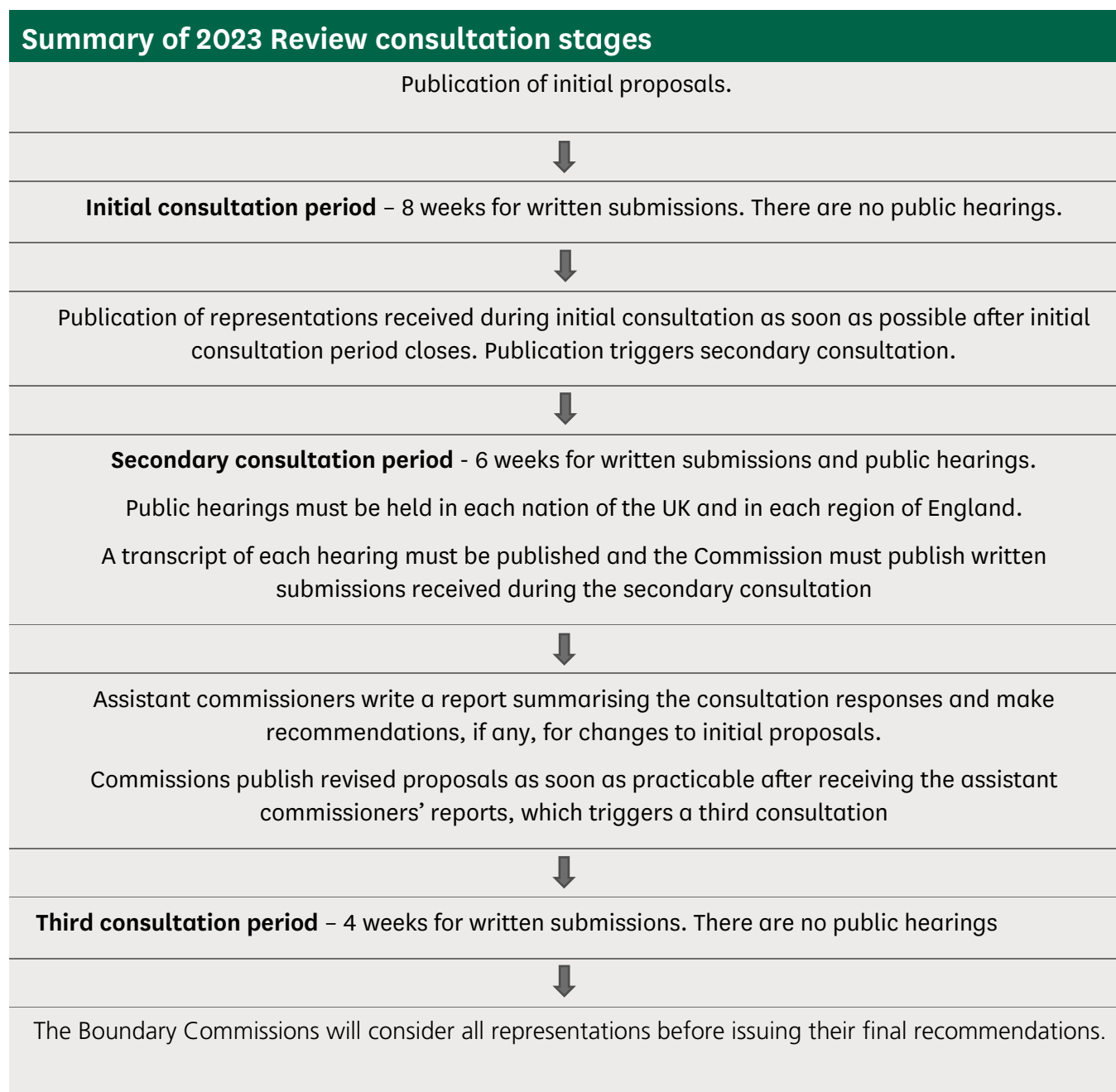
The table below summarises the dates of stages of the 2023 Review to date.

2023 Review - consultation stages				
Stage	England	Scotland	Wales	Northern Ireland
Review commences	05 January 2021	05 January 2021	05 January 2021	05 January 2021
Initial proposals published	08 June 2021	14 October 2021	18 August 2021	TBC
Initial consultation closes	02 August 2021	08 December 2021	03 November 2021	

Source: Boundary Commissions

<sup>3</sup> Boundary Commission for England, [Guide to the 2023 Review of Parliamentary constituencies](#)

### 3 Consultation stages for the 2023 Review



The time periods for the 2023 Review are shorter overall than subsequent reviews. This reflects the shorter overall timescale for the 2023 Review. In subsequent reviews each consultation stage will last 8 weeks.

## 3.1 Initial consultation

The initial consultation period is triggered by the publication of the initial proposals by a Commission.

For the 2023 Review the initial consultation will run for 8 weeks. In subsequent reviews the initial consultation will also run for 8 weeks.

Each Commission must inform people in any way it sees fit:

- What the proposals for each constituency are;
- Where a copy of the proposals can be inspected in each constituency;
- How written submission may be made.

After the close of the 8-week period the Commissions must publish all the written submissions they have received. This can also be done in any way that the Commission sees fit and will probably happen several weeks after the close of the 8-week period.

The initial proposals for England were published on 8 June 2021. The consultation period closes on 2 August 2021.

The other Commissions will announce their initial proposals in due course. The dates of consultation stages are summarised in Appendix 1.

## 3.2 Secondary consultation and public hearings

The Boundary Commissions are required to publicise the fact that the documentation from the initial consultation has been published. This triggers the secondary consultation.

The Commissions must inform people that further submissions commenting on these representations about the initial consultation are being sought. For the 2023 Review this secondary consultation will last 6 weeks. In subsequent reviews the secondary consultation will last 8 weeks.

This is an opportunity for people to comment on the content of the representations received by the Boundary Commissions in the initial consultation. The secondary consultation includes public hearings during the six week period.

## Public hearings

Public hearings are an opportunity for interested parties to make oral representations relating to initial proposals, and to allow for people to make counter-proposals or comment on written submissions made by others in the initial consultation.

[Section 5](#) and [Schedule 2A](#) in the Parliamentary Constituencies Act 1986, as amended, make provisions for public hearings to be held during the secondary consultation.

The Commissions are free to choose where hearings are held but there are some statutory requirements. They must ensure they spread hearings to cover the whole of each region or country.

Each of the nine English regions, and the three nations of Scotland, Wales and Northern Ireland must each hold at least two and no more than five public hearings.

For the English regions the hearings will relate only to that region. In Scotland, Wales and Northern Ireland the hearings can relate to the proposals for the whole of the country.

The Boundary Commissions must appoint chairs to each hearing and it is the responsibility of each chair how they run their hearing. The chair must allow representations to be made by each qualifying party and by any other person with an interest in the area.

A “qualifying party” means a political party that is registered with the Electoral Commission and:

(a) has at least one Member of the House of Commons representing a constituency in the region or nation in which the hearing is held, or

(b) received at least 10% of the votes cast in that region or country in the most recent parliamentary general election.<sup>4</sup>

The chair can choose the order of contributions, may restrict time allowed, and if time runs short choose who may and may not make a representation. The chair may put questions or allow questions to be put by others at their discretion.

After the secondary consultation period, each Commission must publish any written submissions received and transcripts of the public hearings held.

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<sup>4</sup> Paragraph 9 of [Schedule 2A](#) of the Parliamentary Constituencies Act 1986, as amended

## 3.3

### Third consultation period

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 triggers a further 8 weeks public consultation. Public hearings are not held during this consultation and there is no secondary counter-proposal stage of consultation.

For the 2023 Review the third consultation period will be shortened to 4 weeks.

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## 4

# Making submissions

Each Commission publishes guidance at the start of a review. Submissions are encouraged to state whether they support or oppose the recommendations.

A Commission will give equal consideration to each submission regardless of how it is submitted. This could be a presentation at a public hearing or a written submission. Written submissions can be electronic or hard copy but people are encouraged to respond via the review websites each Commission provides.

MPs may make submissions in the same way as any other member of the public. Commissions will not normally agree to requests for interested parties to meet. Other interested parties should make either written or oral submissions as part of the consultation period.

If a submission objects to a proposal the Commissions advise that providing alternative suggestions are likely to be more helpful than a simple objection. For example, the Boundary Commission for England's [Guide to the 2023 Review](#) says:

In particular, objectors are advised to say what they propose in place of the [Commission's] proposals. An objection accompanied by a viable counterproposal is likely to carry more weight than a simple statement of objection.<sup>5</sup>

The Boundary Commission for England guide also encourages people to participate if they agree with a proposal. The Commission notes:

For example, in previous reviews there were several occasions when people who had not made known their support for the initial proposals were surprised when the [Commission] subsequently published revised proposals.<sup>6</sup>

Submissions may also comment on constituency names.. Where a constituency is largely unchanged the Commissions will not normally alter a name. If a suitable alternative name is proposed which generally commands strong support locally then the name may be considered.

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<sup>5</sup> Boundary Commission for England, [Guide to the 2023 Review of Parliamentary constituencies](#), p15

<sup>6</sup> Ibid, p18

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## 5 Final recommendations and implementation

All four Commissions are next required to report by 1 July 2023. The final reports must be submitted to the Speaker of the House of Commons.<sup>7</sup>

These final reports will have considered written representations received during the third consultation period. The Commissions are not obliged to make any revisions.

At the same time as submitting a report to the Speaker each Commission must send a copy of the final report to the Government.

Once the final reports and recommendations are submitted to the Speaker of the House of Commons and the Government the four Commissions' involvement in the review is concluded.

The Minister is then responsible for drafting the required secondary legislation to automatically implement the final recommendations of the Boundary Commissions.

There is no longer any Parliamentary vote on the final recommendations.

### 5.1 Laying and publishing the reports

Once the Speaker of the House receives a final report, they must lay them before Parliament. A Boundary Commission must publish the report once it has been laid. This can be done “as it sees fit” and “as soon as reasonably practicable” after the report is laid.<sup>8</sup>

### 5.2 Automatic implementation

The Parliamentary Constituencies Act 2020 amended the 1986 Act by scrapping the previous provisions that required both Houses of Parliament to

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<sup>7</sup> Section 3 of the Parliamentary Constituencies Act 1986, as amended by [section 1](#) of the Parliamentary Constituencies Act 2020

<sup>8</sup> Ibid



vote on a draft Order in Council before being presented to Her Majesty for approval.

Implementation is now automatic and the 2020 changes also meant that the Government no longer has the power to alter a draft Order. Both measures were controversial and were one of the main points of debate during the passage of the 2020 Act. See the Library briefing on the Bill for more detail, [The Parliamentary Constituencies Bill 2019-21 \(CBP 8921\)](#).

## Draft Order in Council

After all four final reports, one from each Commission, have been laid by the Speaker, the Government is then responsible for drawing up a single draft Order to implement the recommendations.<sup>9</sup>

[Orders in Council](#) are Orders that have been approved at a meeting of the Privy Council personally by the Queen.

In previous reviews separate draft Orders were required for each part of the UK. The legislation now requires that a single Order is made to give effect to the changes for the whole of the United Kingdom.

The Government must submit a draft Order in Council to Her Majesty in Council for approval “as soon as reasonably practicable”. The legislation also states this must be no later four months after the final report(s) have been laid in Parliament unless there are exceptional circumstances.<sup>10</sup> If the four month deadline is not met the Government is required to lay before Parliament a statement at regular intervals until the draft Order is submitted to Her Majesty.

The draft Order must contain the final recommendations of the Boundary Commissions. The Government or Parliament cannot make changes.

Only a Boundary Commission can make an alteration to a final recommendation once the final reports have been handed to the Speaker of the House. A Boundary Commission may submit to the Speaker “a statement of modifications” specifying the changes required to correct an error. This can only be done if a draft Order in Council has not yet been submitted to Her Majesty in Council.

Any modifications will need to be laid by the Speaker before Parliament, who will also write to the relevant minister to inform them. Once laid before Parliament, the relevant Boundary Commission must publish the modification. This can be done “as they see fit”.

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<sup>9</sup> Section 4 of the Parliamentary Constituencies Act 1986, as amended by [section 2](#) of the Parliamentary Constituencies Act 2020

<sup>10</sup> Section 4 of the Parliamentary Constituencies Act 1986, as amended by [section 2](#) of the Parliamentary Constituencies Act 2020

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

## 5.3

### Using the new boundaries

The Order in Council will include a provision stating the date on which the order comes into force having been approved by Her Majesty.

The new constituencies do not take effect until the next general election after the Order comes into force. Any coming into force provisions in an Order in Council do not affect the sitting Parliament and take effect at the dissolution of that Parliament.<sup>11</sup>

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

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<sup>11</sup> [Section 4](#) (6) of the Parliamentary Constituencies Act 1986, as amended

## 6 Background

The current system of public consultation was introduced by the [Parliamentary Voting System and Constituencies Act 2011](#). The 2011 Act amended the provisions on local inquiries in the [Parliamentary Constituencies Act 1986](#).

Before the 2011 changes, 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 abolished inquiries. They were replaced with public hearings.

The Parliamentary Voting System and Constituencies Bill, as introduced, made provision for a single 12-week consultation period with no public inquiry stage. If revised proposals were published then a second 12-week consultation was allowed, again with no public inquiries. Following criticism, the then Coalition Government amended the Bill to allow for public hearings. These would give interested parties an opportunity to set out their views, but without the cross-examination and inquisitorial aspects of the old inquiries.

In the 2013 and 2018 Reviews, public hearings were held in the initial consultation phase.

[Section 4](#) of the Parliamentary Constituencies Act 2020 made further amendments to the 1986 Act. This was to allow for public hearings in the secondary stage of consultation rather than in the initial stage. There had been some criticism that some public hearings had been poorly attended and there had been mixed results in feeding into the consultation process.

The Boundary Commissions had also provided evidence to the Government that holding public hearings in the secondary consultation phase would enable them to better target where to hold hearings within a region.

The background to the 2011 and 2020 changes is outlined in more detail in the Library briefing on the 2020 legislation, [The Parliamentary Constituencies Bill 2019-21 \(CBP 8921\)](#)

## Appendix 1 – 2018 Review dates

2018 Review dates				
Stage	England	Scotland	Northern Ireland	Wales
Review commences	24 Feb 2016	24 Feb 2016	24 Feb 2016	24 Feb 2016
Initial proposals published	13 Sep 2016	20 Oct 2016	13 Sep 2016	06 Sep 2016
Initial consultation closed	05 Dec 2016	11 Jan 2017	05 Dec 2016	28 Nov 2016
Secondary Consultation opens	28 Feb 2017	28 Feb 2017	28 Feb 2017	05 Sep 2017
Secondary consultation closes	27 Mar 2017	27 Mar 2017	27 Mar 2017	02 Oct 2017
Revised proposals published	17 Oct 2017	17 Oct 2017	17 Oct 2017	30 Jan 2018
Revised proposal consultation closes	11 Dec 2017	11 Dec 2017	11 Dec 2017	26 Mar 2018
Final reports handed to the Government	05 Sep 2018	06 Sep 2018	07 Sep 2018	08 Sep 2018
Reports laid and published	10 Sep 2018	10 Sep 2018	10 Sep 2018	10 Sep 2018

Source: Boundary Commissions various reports

## Appendix 2 – 2013 Review dates

2013 Review dates				
Stage	England	Scotland	Wales	Northern Ireland
Review commences	04 Mar 2011	04 Mar 2011	04 Mar 2011	04 Mar 2011
Initial proposals published	13 Sep 2011	13 Oct 2011	11 Jan 2012	13 Sep 2011
Initial consultation closed	05 Dec 2011	04 Jan 2012	04 Apr 2012	02 Dec 2011
Secondary Consultation opens	06 Mar 2012	01 Mar 2012	13 Jun 2012	31 Jan 2012
Secondary consultation closes	03 Apr 2012	28 Mar 2012	10 Jul 2012	27 Feb 2012
Revised proposals published	16 Oct 2012	13 Sep 2012	24 Oct 2012	16 Oct 2012
Revised proposal consultation closes	10 Dec 2012	07 Nov 2012	18 Dec 2012	10 Dec 2012
Review cancelled	31 Jan 2013	31 Jan 2013	31 Jan 2013	31 Jan 2013

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

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