



## Parliamentary Constituencies Bill HL Bill 126 of 2019–21

The [Parliamentary Constituencies Bill](#) is a government bill that would amend the existing legislative framework governing the number of constituencies used in UK general elections and the periodic review of their boundaries. It would:

- Maintain the number of UK parliamentary constituencies at 650, reversing an earlier change that would have reduced the number of seats in the House of Commons to 600.
- Update the rules governing how parliamentary constituency boundaries are set.
- Amend how the UK's four independent boundary commissions conduct reviews.
- Change how the boundary commissions' recommendations are brought into effect, notably by removing the current requirement for parliamentary approval before changes are implemented.

The [Parliamentary Voting System and Constituencies Act 2011](#), passed under the Coalition Government, stipulated that the boundary commissions should conduct future boundary reviews based on there being 600 parliamentary constituencies. The commissions subsequently [submitted recommendations](#) for new boundaries in September 2018. The Government has yet to bring forward the order required to implement the recommended changes. The general election held in December 2019 took place based on 650 constituencies.

The Conservative Party manifesto at the election [included a commitment](#) to “ensure we have updated and equal parliamentary boundaries, making sure that every vote counts the same—a cornerstone of democracy”. In March 2020, the Government [announced](#) that it was “minded” to bring forward primary legislation to amend the framework for boundary reviews to implement this commitment. At the same time, the Government suggested that it would remove the statutory obligation to implement the 2018 boundary review recommendations and would seek to maintain 650 constituencies. It also indicated that the legislation would amend how often boundary reviews should be conducted and introduce a new ‘automatic’ system for implementing boundary changes recommended by the commissions. The latter measure would have the effect of removing Parliament’s role in approving any changes before they are made. This proved a controversial issue during MPs’ deliberations on the bill.

The bill was [introduced](#) in the House of Lords on 15 July 2020. The House is scheduled to debate the bill’s second reading on 27 July 2020.

Thomas Brown | 22 July 2020

---

A full list of Lords Library briefings is available on the research briefings page on the internet. The Library publishes briefings for all major items of business debated in the House of Lords. The Library also publishes briefings on the House of Lords itself and other subjects that may be of interest to Members. Library briefings are compiled for the benefit of Members of the House of Lords and their personal staff, to provide impartial, authoritative, politically balanced briefing on subjects likely to be of interest to Members of the Lords. Authors are available to discuss the contents of the briefings with the Members and their staff but cannot advise members of the public.

**Any comments on Library briefings should be sent to the Head of Research Services, House of Lords Library, London SW1A 0PW or emailed to [purvism@parliament.uk](mailto:purvism@parliament.uk).**

## I. What is the current situation?

The current parliamentary constituency boundaries are based on electoral data from the early 2000s.<sup>1</sup>

The Parliamentary Voting System and Constituencies Act 2011 (PVSC Act 2011), passed under the Coalition Government, updated the rules and process used to amend the constituency boundaries used for UK general elections.<sup>2</sup> Under the relevant legislation, the UK's four boundary commissions (one each for England, Scotland, Wales and Northern Ireland) are responsible for reviewing boundaries every five years. These must be drawn to ensure the electorate of almost all constituencies is no less than 95% and no more than 105% of an electoral quota, calculated as an average of almost all electors.<sup>3</sup>

The PVSC Act 2011 stipulated that the commissions should work on the basis of drawing boundaries for 600 parliamentary constituencies, including four protected from modification under the variance rule: Orkney and Shetland; Na h-Eileanan an Iar (formerly the Western Isles); and two constituencies on the Isle of Wight. The Act also introduced changes to the public consultation process used during reviews.<sup>4</sup>

The current framework requires the boundary commissions to submit their completed reports to ministers, who are then required to lay them before Parliament. Ministers are then required to lay a draft order in council giving effect to the recommendations in the commissions' reports. Both Houses must approve it before it can take effect.<sup>5</sup>

Under the PVSC Act 2011, the boundary commissions were originally charged with submitting reports by 1 October 2013. The Electoral Registration and Administration Act 2013 postponed the deadline to 2018. After conducting fresh reviews, working on the basis of 600 seats, the commissions submitted their final reports in September 2018. The Government has laid the reports before Parliament but has not brought forward a draft order implementing the recommendations.<sup>6</sup> Elections to the House of Commons have continued to take place on the basis of 650 seats while this process has been ongoing, including the most recent held in December 2019.

## 2. What would the bill do?

The current framework requires the boundary commissions to begin their next reviews in early 2021. These would have been conducted based on drawing boundaries for 600 constituencies, using data on the number of electors registered as at 1 December 2020. The bill seeks to amend the framework to

---

<sup>1</sup> Boundaries in England are based on data from 2000, while those in Scotland, Wales and Northern Ireland are based on data from 2001–03 ([Explanatory Notes](#), p 2).

<sup>2</sup> The principal legislation governing parliamentary constituencies and boundary reviews is the Parliamentary Constituencies Act 1986, as amended.

<sup>3</sup> See Parliamentary Constituencies Act 1986, schedule 2. Exceptions apply, for example in the case of protected constituencies. The 5% rule was introduced by the Parliamentary Voting System and Constituencies Act 2011. The bill does not amend this rule, though amendments were tabled at committee stage and report on the issue.

<sup>4</sup> [Explanatory Notes](#), pp 2–3.

<sup>5</sup> *ibid*, p 4.

<sup>6</sup> Cabinet Office, '[Boundary Commissions: Boundary review 2018](#)', 10 September 2018; and House of Commons Library, '[Boundary Review: September 2018 update](#)', 10 September 2018

remove this obligation and replace it with requirements that align with a policy change set out in a written statement published on 24 March 2020. In this statement, Chloe Smith, minister of state for the Cabinet Office, announced the Government's intention to bring forward legislation to amend the framework governing boundary reviews. As part of this, she said the Government was "minded" to make provision for the number of parliamentary constituencies to remain at 650.<sup>7</sup> She argued that such a move was "sensible" because the UK Parliament would have a greater workload following the UK's departure from the EU. Another reason the Government has given for retaining 650 seats is that the UK has a growing population.<sup>8</sup>

The bill would remove the requirement that ministers give effect to the boundary changes recommended in the 2018 reports. Instead, boundary commissions would be mandated to redraw constituency boundaries by mid-2023, and every eight years thereafter, based on maintaining 650 seats. The first exercise would be based on the number of registered electors as at 2 March 2020. The commissions' reports would be submitted to the Speaker of the House of Commons, in his capacity as chair of the commissions. All recommended changes would be brought into effect by an order in council submitted "as soon as reasonably practicable" after the reports had been received. The move to a system of 'automatic' implementation would mean such orders would no longer require the approval of both Houses of Parliament before coming into force.<sup>9</sup>

### 3. Overview of provisions

The bill comprises 14 clauses and one schedule. The provisions within each are summarised below.

#### 3.1 Boundary commission reports

Clauses 1 to 4 concern reports of the boundary commissions. In particular:

- the timing of boundary reviews and the submission of reports (**clause 1**);
- how recommendations are implemented (**clause 2**);
- how recommendations may be modified (**clause 3**); and
- publicity and consultation (**clause 4**).

#### *Timing and submission of boundary commission reports*

Clause 1 would lengthen the usual period between boundary reviews from five years to eight. The deadline for the end of the next review period would be 1 July 2023. This would be followed by a review period ending on 1 October 2031, with subsequent deadlines being 1 October of every eighth year thereafter.<sup>10</sup> The Government has argued that this change would result in "less disruption [...] to local communities and their MPs", while still ensuring that boundaries are updated on a regular basis.<sup>11</sup>

<sup>7</sup> House of Commons, ['Written Statement: Update: Strengthening democracy'](#), 24 March 2020, HCWS183.

<sup>8</sup> House of Commons Public Administration and Constitutional Affairs Committee, [Letter from Chloe Smith to William Wragg](#), 19 May 2020, p 1.

<sup>9</sup> [Explanatory Notes](#), p 4.

<sup>10</sup> *ibid*, p 6.

<sup>11</sup> *ibid*, p 4.

Clause 1 would also require the boundary commissions to submit reports to the Speaker of the House of Commons, rather than ministers. In addition, it would require copies of final reports be sent to ministers; that the Speaker lay any reports received before Parliament; and that boundary commissions publish reports shortly after they have been laid. Other changes include around the timing of progress reports to be submitted to the Speaker.

### ***Implementing changes through orders in council***

Clause 2 would amend how the recommendations in boundary commission reports are implemented. Ministers would be required to submit to Her Majesty in Council a draft order giving effect to the recommendations in boundary commission reports.<sup>12</sup> The draft order would need to be submitted “as soon as reasonably practicable” after all four reports were laid by the Speaker. Such draft orders would no longer require the approval of both Houses of Parliament before being made, and the current power for a minister to modify a draft order that has been rejected by Parliament would be removed.<sup>13</sup>

The Government has contended that this change will “provide certainty that the recommendations of the independent and impartial boundary commissions will be implemented without political influence or interference from either government or Parliament”. It has suggested that such a mechanism is in line with those in place in Australia, Canada, and New Zealand, in which neither the executive nor the legislature is required to approve electoral district boundary changes before they take effect. However, opposition parties expressed concern about removing Parliament’s role in approving boundary commission recommendations during the bill’s passage through the House of Commons.<sup>14</sup>

The Government has explained that the change would constitute an amendment of the current power under the Parliamentary Constituencies Act 1986 for orders in council to implement boundary commission recommendations, rather than the introduction of a new power.<sup>15</sup>

### ***Modifying recommendations***

Clause 3 provides a limited mechanism through which boundary commission recommendations may be modified. After submitting a report, but before a draft order in council has been made, a boundary commission may submit to the Speaker a “statement of modifications” to correct any errors, together with an explanation for the changes.<sup>16</sup>

As with the requirements for reports in clause 1, copies of any statements must be sent to ministers; the Speaker of the House of Commons must lay any statements before Parliament; and the relevant boundary commission should publish the statement afterwards. Where a statement has been laid, any draft order in council must give effect to the modifications set out by a boundary commission.

<sup>12</sup> [Explanatory Notes](#), pp 6–7. See also: Privy Council Office, ‘[Orders](#)’, accessed 20 July 2020.

<sup>13</sup> Cabinet Office, [Parliamentary Constituencies Bill 2020: Delegated Powers Memorandum](#), 29 April 2020, p 4.

<sup>14</sup> Further information on objections is available in section 4 of this briefing.

<sup>15</sup> Cabinet Office, [Parliamentary Constituencies Bill 2020: Delegated Powers Memorandum](#), 29 April 2020, p 4.

<sup>16</sup> [Explanatory Notes](#), p 7.

### **Publicity and consultation**

Clause 4 would require boundary commissions to hold public hearings during the second consultation period, rather than the first as at present. As a result, the length of the first consultation period would be shortened from 12 weeks to eight weeks, and the length of the second period would be lengthened from four weeks to eight weeks. After the end of the second consultation period, boundary commissions would be required to publish records of any public hearings. In addition, if changes were proposed following a second consultation period, written representations may be made during a third consultation period, also lasting eight weeks. Clause 4 provides for shortened consultation periods for the next review, to allow it to be completed before 1 July 2023.<sup>17</sup>

The Government has explained that these changes have been brought forward to improve the effectiveness of public hearings. Under the proposals, boundary commissions could plan public hearings for areas where concerns were raised during the initial consultation period, rather than having to conduct them at the outset as under the current framework.<sup>18</sup>

### **3.2 Rules for the distribution of seats**

Clauses 5 to 9 concern rules for the distribution of seats. In particular:

- setting the number of parliamentary constituencies at 650 (**clause 5**);
- permitting boundary commissions to consider local authority boundaries (**clause 6**);
- adding Ynys Môn to the existing list of protected constituencies (**clause 7**);
- specifying the registers of electors to be used for the reports due in 2023 (**clause 8**); and
- altering the ‘review date’, or formal start of the review, for the 2023 reports (**clause 9**).

### **Number of parliamentary constituencies**

Clause 5 would amend the Parliamentary Constituencies Act 1986 to provide for the number of parliamentary constituencies to be 650, rather than 600.<sup>19</sup> This would implement a change in policy to that legislated for under the Coalition Government, as outlined in a written statement made on 24 March 2020.<sup>20</sup> The main reason given for the change was that it would be “sensible” for the number of parliamentary constituencies to remain at 650 in the context of the greater workload for the UK Parliament arising from the UK’s withdrawal from the European Union. Opposition parties welcomed the change in policy during the bill’s passage through the House of Commons, with clause 5 being agreed without division or amendment.

The change would be consistent with a recommendation made by the former House of Commons Political and Constitutional Reform Committee. It published a report in 2015 calling for legislation to be introduced to reverse the reduction to the number of MPs to 600.<sup>21</sup> The House of Commons

<sup>17</sup> [Explanatory Notes](#), pp 7–8.

<sup>18</sup> *ibid*, p 4.

<sup>19</sup> *ibid*, p 8.

<sup>20</sup> House of Commons, [‘Written Statement: Update: Strengthening democracy’](#), 24 March 2020, HCWS183.

<sup>21</sup> House of Commons Political and Constitutional Reform Committee, [What Next on the Redrawing of Parliamentary](#)

Public Administration and Constitutional Affairs Committee has also previously called for the House of Commons to be given the choice of whether to continue with the 2018 boundary review, or hold a new review based on 650 seats.<sup>22</sup>

The House of Commons Library has approximated the seat allocation that may result from reviews based on 650 constituencies using electoral register data as at 1 December 2019. The total registered electorate as at that date, minus those registered in the four protected constituencies, was 46,907,785. This gave an electoral quota of 72,613 (calculated by dividing the total by the 646 remaining non-protected constituencies). The table below shows the number of seats that each region may have been allocated using this figure:

**Table 1: Seat allocation based on 2019 electorate (excluding protected constituencies)<sup>23</sup>**

Region	Registered voters	Seat allocation (rounded)	Current seats	Difference
England	39,364,700	542	532	+10
East	4,469,748	62	58	+4
East Midlands	3,478,897	48	46	+2
London	5,422,192	75	73	+2
North East	1,921,999	26	29	-3
North West	5,383,886	74	75	-1
South East	6,454,655	89	83	+6
South West	4,193,464	58	55	+3
West Midlands	4,157,363	57	59	-2
Yorkshire and The Humber	3,882,496	53	54	-1
Scotland	3,932,929	54	57	-3
Wales	2,313,851	32	40	-8
Northern Ireland	1,296,305	18	18	0
<b>Total</b>	<b>46,907,785</b>	<b>646</b>	<b>647</b>	<b>-1</b>

(Note: figures exclude the four constituencies currently protected for future reviews: Orkney and Shetland; Na h-Eileanan an Iar (formerly the Western Isles); and two constituencies on the Isle of Wight. There is currently one constituency on the Isle of Wight).

The key findings from the approximated calculations were summarised as follows:

The region due to lose most seats under these proposals is Wales (-8). This is because a UK-wide quota will end the historic over-representation of Wales. The region gaining most is the South East (+6). This is before adding in the additional seat that region will gain on the Isle

[Constituency Boundaries?](#), 15 March 2015, HC 600 of session 2014–15, pp 3 and 33.

<sup>22</sup> House of Commons Public Administration and Constitutional Affairs Committee, '[House of Commons should vote on new parliamentary boundaries now](#)', 19 February 2018.

<sup>23</sup> House of Commons Library, [Parliamentary Constituencies Bill 2019–21](#), 21 July 2020, p 16.

of Wight [at the next review]. Scotland stands to lose three seats, while Northern Ireland retains the same number and England as a whole would gain 10 (not including the additional seat on the Isle of Wight).<sup>24</sup>

The Government has estimated that the public expenditure implications of the bill, not including the non-monetised benefits, is approximately £116 million over ten years, adjusted for inflation.<sup>25</sup> The main cost would arise from the provision in clause 5 to retain 50 more MPs than would otherwise be the case. The calculation included the additional costs associated with retaining 50 more constituencies, and the savings from avoiding winding-up payments, redundancy costs and less frequent boundary review cycles.

### **Local government boundaries**

Clause 6 would permit boundary commissions to take account of prospective local government boundaries in addition to existing boundaries as is already the case, subject to certain conditions. Boundaries would be considered prospective if they were specified in primary or secondary legislation that was not yet in force.<sup>26</sup>

The Government has said that this provision has been designed to facilitate boundary commissions to consider up-to-date information for reviews. Allowing prospective boundaries to be considered, alongside existing boundaries, could help “minimise the potential for inconvenience to be caused for councils, MPs, councillors and political parties, and confusion for the public, due to council wards not aligning with parliamentary boundaries”.<sup>27</sup>

### **Protected constituencies**

Clause 7 was added at committee stage in the House of Commons. The Government agreed to a backbench amendment with cross-party support to include Ynys Môn (formerly Anglesey) to the list of protected constituencies not subject to boundary review. (These are currently Orkney and Shetland; Na h-Eileanan an Iar (formerly the Western Isles); and two constituencies on the Isle of Wight). Because of this, the requirement that the number of electors in a constituency should not vary more than 5% from the UK electoral quota would not apply to the Ynys Môn constituency. Clause 7 also makes provision for the electorate in Ynys Môn to be deducted from the figure used to calculate the electoral quota used for other constituencies, as is already the case with the other protected constituencies.<sup>28</sup>

Ynys Môn would be the only protected constituency in Wales.

<sup>24</sup> House of Commons Library, [Parliamentary Constituencies Bill 2019–21](#), 21 July 2020, pp 16–17. The table has not been updated to account for the amendment adding Ynys Môn to the list of protected constituencies.

<sup>25</sup> [Explanatory Notes](#), p 12; and Cabinet Office, [Parliamentary Constituencies Bill 2020: Impact Assessment](#), 4 May 2020.

<sup>26</sup> [Explanatory Notes](#), p 8.

<sup>27</sup> *ibid*, p 4.

<sup>28</sup> *ibid*, p 9.

## **Electoral registers**

Clause 8 was also added during the bill's committee stage in the House of Commons, this time as a government amendment. It provides that the boundary commissions use the electoral registers as at 2 March 2020 for the purposes of the reports due by 1 July 2023, instead of those in place on 1 December 2020.<sup>29</sup>

In a written statement published on 9 June 2020, Chloe Smith, minister of state at the Cabinet Office and the bill's sponsor in the House of Commons, stated that the Government had decided, after consultation, that the next boundary reviews should be based on the number of registered electors as at 2 March 2020.<sup>30</sup> This approach, she argued, would provide the most up-to-date electoral registration data available "before the impacts of Covid-19 became widespread". She added that using data as at 2 March 2020 would "capture the registrations that took place in the run-up to the 2019 general election, subject to any monthly updates made to the register between the election and 2 March 2020".<sup>31</sup> This change was partly in response to concerns raised during the bill's second reading debate in the House of Commons about the completeness of registers in December 2020.

## **Review date**

Clause 9 sets a formal start date for the next review as 1 December 2020. For all subsequent boundary reviews, the review date will continue to be two years and 10 months before reports are due to be submitted.<sup>32</sup> This permits new reviews to begin after earlier reviews end, as provided for in clause 1.

## **3.3 Current reports and reviews**

Clauses 10 and 11 concern current reports and reviews. Clause 10 removes the requirement for ministers to lay a draft order implementing the 2018 reviews, conducted on there being 600 constituencies. Meanwhile, clause 11 would remove the requirement set out in the PVSC Act 2011 for ministers to arrange for a committee to review the effects of reducing the number of constituencies to 600. This would be redundant in view of the reduction not having taken effect and clause 5 providing for the retention of 650 constituencies.<sup>33</sup>

## **3.4 Northern Ireland Assembly constituencies**

Clause 12 concerns the bill's effect on Northern Ireland Assembly constituencies. Section 33 of the Northern Ireland Act 1998 provides for five members of the Northern Ireland Assembly to be returned for each of the parliamentary constituencies in Northern Ireland. Clause 12 would amend the Northern Ireland Act 1998 to ensure that any changes to assembly constituencies (as a result of parliamentary constituency changes) would take effect from the first assembly election of which notice was given at least six months after the parliamentary constituency changes came into force. There

<sup>29</sup> [Explanatory Notes](#), p 9.

<sup>30</sup> House of Commons, '[Written Statement: Update on annual canvass](#)', 9 June 2020, HCWS278.

<sup>31</sup> Further information on the second reading debate in the House of Commons can be found in section 3.1 of this briefing.

<sup>32</sup> [Explanatory Notes](#), p 9

<sup>33</sup> *ibid*, pp 9–10.

would be an exception if, during this period, the UK Parliament was dissolved before a general election for which new constituencies would apply.<sup>34</sup>

### 3.5 General provisions

Clauses 13 and 14 concern general matters. Clause 13 states that the bill's schedule contains minor and consequential amendments to relevant legislation, including the Parliamentary Constituencies Act 1986, the Boundary Commissions Act 1992, the PVSC Act 2011 and the Electoral Registration and Administration Act 2013. Clause 14 specifies that the bill extends to the whole of the United Kingdom and that almost all the provisions would come into force on royal assent.<sup>35</sup>

The Government has confirmed that no legislative consent motions are being sought. This is because the bill is not on a matter that falls within the legislative competence of the Scottish Parliament, Senedd Cymru/Welsh Parliament or Northern Ireland Assembly.

## 4. Consideration in the House of Commons

The bill was introduced in the House of Commons on 19 May 2020. It received a second reading on 2 June before being committed to a public bill committee. The committee held eight sessions in total between 18 and 30 June, taking evidence during the first four sessions and scrutinising the bill during the last four. Report stage and third reading took place on 14 July.<sup>36</sup>

### 4.1 Second reading

The main areas of concern raised by Labour and the SNP spokespersons during the bill's second reading debate related to:

- the ending of Parliament's role in approving final recommendations from the boundary commissions; and
- the proposal to use elector data as at 1 December 2020 for the 2023 reviews in view of the coronavirus pandemic.

Other issues raised during the debate included the potential effect on the UK union of an expected reduction in the number of Scottish and Welsh seats; whether the 5% variance rule meant boundary commissions would be less able to accommodate local ties when drawing boundaries; and whether retaining first past the post was in line with the Government's intention to make sure that "every vote counts the same".<sup>37</sup>

---

<sup>34</sup> [Explanatory Notes](#), p 10.

<sup>35</sup> *ibid*, p 11.

<sup>36</sup> UK Parliament, '[Parliamentary Constituencies Bill 2019–21: Bill stages](#)', accessed 20 July 2020.

<sup>37</sup> Conservative Party, '[Conservative Party Manifesto 2019](#)', November 2019, p 48.

The Speaker selected a reasoned amendment, tabled by the Labour Party, objecting to the bill's second reading.<sup>38</sup> This read:

That this House whilst supporting the retention of 650 parliamentary constituencies declines to give a second reading to the Parliamentary Constituencies Bill because the bill would disproportionately and undemocratically concentrate power over constituency sizes and boundaries in the hands of the executive, because the bill fails to create a more flexible electoral quota allowing greater consideration to be given to local ties and community connections when drawing constituency boundaries, and because the proposed numeration date for the boundary review of 1 December 2020 risks boundaries being based on an incomplete register owing to the impact of the Covid-19 pandemic on the preparation of electoral registers.

Chloe Smith, minister of state at the Cabinet Office, opened the debate.<sup>39</sup> She stated that the purpose of the bill was “straightforward”, namely “to meet the Government’s manifesto pledge of delivering updated and equal parliamentary boundaries, making sure that every vote counts the same”. She added that the Government proposed to do so based on 650 constituencies. In line with this aim, the bill would end the unimplemented 2018 boundary review process. Ms Smith mentioned that the decision to retain 650 constituencies was in line with recommendations made by the former House of Commons Political and Constitutional Reform Committee.<sup>40</sup> It would also be appropriate in the context of Brexit, with significant areas of policy returning to all UK legislatures—including the UK Parliament.<sup>41</sup>

Ms Smith disagreed with Labour’s reasoned amendment. In particular, she objected to the first criticism—that the bill concentrated power in the hands of the executive. Ms Smith stated:

That is not true [...] There will be no change to the Government’s obligation to give effect to the recommendations of the boundary commissions. In fact, as part of this measure, the secretary of state’s current ability to amend the order in council if rejected by Parliament will be removed. The executive’s power will, if anything, be reduced.<sup>42</sup>

Ms Smith also said that she was “considering carefully the options for the next boundary review to be based, on a one-off basis, on an alternative dataset not affected by the coronavirus pandemic”.<sup>43</sup> This foreshadowed the government amendment introduced at committee stage to permit the 2023 reviews to be based on elector registrations as at 2 March 2020.

Cat Smith, shadow minister for young people and voter engagement, began by moving Labour’s reasoned amendment. Ms Smith welcomed the Government’s decision to retain 650 constituencies and expressed support for the next reviews to be completed before the next general election.

<sup>38</sup> In the House of Commons, members who wish to “place on record any special reasons for not agreeing to the second reading of a bill” may move what is known as a ‘reasoned amendment’ to the question for the second reading (*Erskine May*, [‘Reasoned amendments to question for second \(or third\) reading’](#), 2019).

<sup>39</sup> [HC Hansard, 2 June 2020, cols 761–814](#).

<sup>40</sup> House of Commons Political and Constitutional Reform Committee, [What Next on the Redrawing of Parliamentary Constituency Boundaries?](#), 15 March 2015, HC 600 of session 2014–15, pp 3 and 33.

<sup>41</sup> [HC Hansard, 2 June 2020, cols 761–2](#).

<sup>42</sup> *ibid*, cols 763–6.

<sup>43</sup> *ibid*, col 769.

However, she said that “one of the biggest concerns” that the opposition had about the bill was the decision to end parliamentary oversight of the process for implementing final recommendations. She alleged that it was “yet another attempt to diminish scrutiny over executive power”.<sup>44</sup> Ms Smith continued:

The process of needing MPs to vote for the final report from the commission is an important safety net, because without it we would now have just 600 MPs here today. When the Government wanted to go back to 650, it was that safety net that allowed them to do so and make that happen, but removing parliamentary scrutiny is worrying for the future integrity of our democracy.

Ms Smith suggested that using elector registration data relating to the December 2019 general election, rather than that in place on 1 December 2020, could facilitate the boundary commissions’ work. She also labelled the 5% variance rule “restrictive” and expressed support for a proposal in a private member’s bill that would widen the permitted variance to +/- 7.5%.<sup>45</sup> This, Ms Smith suggested, could avoid the need for constituency boundaries spanning county borders such as that in place between Devon and Cornwall.

The reasoned amendment was defeated on division with 137 votes in favour and 265 against.<sup>46</sup> The bill then passed second reading without division.

## 4.2 Committee stage

### *Evidence sessions*

Witnesses who gave evidence to the public bill committee in its first four sessions included representatives from each of the four boundary commissions; spokespersons for most political parties represented at Westminster; academics; and representatives from the Association of Electoral Administrators, the Local Government Boundary Commission for England and the Electoral Reform Society.<sup>47</sup>

Much of the discussion during these sessions focused on the proposal to end Parliament’s role in approving boundary commission recommendations, referred to as “automaticity”. The 5% tolerance limit and the tension between maintaining community ties and electoral equality was another main theme of the sessions. Other issues covered included ward splitting; data; and what seat changes could mean for the preservation of the union.<sup>48</sup>

<sup>44</sup> [HC Hansard, 2 June 2020, cols 770–1.](#)

<sup>45</sup> UK Parliament, ‘[Parliamentary Constituencies \(Amendment\) Bill 2019–21](#)’, accessed 20 July 2020.

<sup>46</sup> [HC Hansard, 2 June 2020, cols 811–13.](#)

<sup>47</sup> Transcripts of the evidence sessions are available: UK Parliament, ‘[House of Commons public bill committee on the Parliamentary Constituencies Bill 2019–21](#)’, accessed 20 July 2020.

<sup>48</sup> House of Commons Library, [Parliamentary Constituencies Bill 2019–21](#), 21 July 2020, p 41. See pages 41 to 47 of this briefing for a full summary of the oral evidence sessions.

## **Amendments**

The last four committee sessions comprised line-by-line scrutiny of the bill. Two amendments were made at this stage:

- The Government accepted a backbench amendment with cross-party support to add Ynys Môn to the list of protected seats that do not count for the purposes of calculating the electoral quota to be used for remaining seats. This would mean there were five in total.
- A government amendment was introduced to permit the 2023 reports to use electoral register data as at 2 March 2020. This followed the written statement made on 9 June.<sup>49</sup>

## **Other issues raised**

Opposition amendments debated but then either withdrawn or defeated on division included:

- Several Labour paving amendments tabled to facilitate retention of Parliament's current role in scrutinising draft orders in council implementing boundary commission recommendations.
- A new clause, tabled by Labour, to set the elector dataset to be used in future reviews as that in place at the last general election.
- A new clause, tabled by Labour, to widen the allowable variance from the electoral quota from +/- 5% to +/- 7.5%.
- A new clause, tabled by Labour, that would have guaranteed a minimum number of seats for Scotland, Wales, and Northern Ireland (59, 35 and 18 respectively).
- SNP and Plaid Cymru-sponsored amendments on removing the cap on the number of public hearings a boundary commission could hold, currently five per region in England and five per country in the other nations of the UK; the use of polling districts in situation where wards could not be used; and retaining the number of Welsh seats at 40.

In addition, Councillor Julian German, leader of Cornwall Council, submitted written evidence calling for Cornwall's borders to be protected in future reviews.<sup>50</sup> Mr German noted that the UK Government had recognised the Cornish people as a national minority in 2014. He said that the framework under which this had been undertaken called for the political integrity of territories associated with minority groups to be maintained. He called for no seats to be created that spanned the border between Devon and Cornwall. This was seconded in written evidence submitted by another councillor from Cornwall, the leader of Mebyon Kernow—the Party for Cornwall.<sup>51</sup>

<sup>49</sup> House of Commons, ['Written Statement: Update on annual canvass'](#), 9 June 2020, HCWS278.

<sup>50</sup> House of Commons, [Letter from Councillor Julian German to the Public Bill Committee](#), 24 June 2020.

<sup>51</sup> House of Commons, [Letter from Councillor Dick Cole to the Public Bill Committee](#), 22 June 2020.

### 4.3 Report stage and third reading

#### **Report stage**

Three amendments were divided upon during the bill's report stage:

- A new clause, tabled by Labour, to widen the permitted variance from the electoral quota from +/- 5% to +/- 7.5% in “difficult cases”, was defeated on division by 342 votes to 246.<sup>52</sup>
- A Labour amendment to leave out clause 2, to preserve Parliament's current role in approving a draft order in council implementing boundary commission recommendations, was defeated on division by 339 votes to 237.<sup>53</sup>
- A new clause, tabled by the SNP and Plaid Cymru, to maintain the current number of seats in Scotland, Wales, and Northern Ireland, at 59, 40 and 18 respectively, was defeated on division by 339 votes to 50.<sup>54</sup>

#### **Third reading**

Chloe Smith opened the third reading debate by reiterating that the overall purpose of the bill was to improve equality of voting power. She then commented on the provisions relating to how boundary commission recommendations would be implemented:

We have looked closely at how to ensure that the recommendations of future boundary reviews can be implemented without delay, and we have drawn on the experience of comparable systems in other countries. That matter was pressed to a division in committee, and the view of the elected chamber is clearly in favour of automatic implementation.<sup>55</sup>

Cat Smith, speaking for Labour, stated that she was disappointed the Government had not accepted the opposition's arguments for widening the permitted level of variance from the electoral quota, even in “difficult cases”, and retaining parliamentary oversight within the boundary review process. Ms Smith expressed hope that the House of Lords would focus on the latter issue:

The process of requiring MPs to vote on the final report from the commission is an important safety net, without which we would have just 600 MPs today [...]

We certainly hope their lordships will look again at clause 2, as we still have significant concerns about the Government's approach to that matter.

Speaking on behalf of the SNP, David Linden agreed. He said he “very much hope[d] that when their lordships look at this bill, they will remove clause 2, which is an affront to democracy”.<sup>56</sup>

<sup>52</sup> [HC Hansard, 14 July 2020, cols 1469–72.](#)

<sup>53</sup> *ibid*, cols 1476–9.

<sup>54</sup> *ibid*, cols 1473–5.

<sup>55</sup> *ibid*, col 1481.

<sup>56</sup> *ibid*, col 1482.

## 5. Read more

- House of Commons Library, [Parliamentary Constituencies Bill 2019–21](#), 21 July 2020; and [Constituency Boundary Reviews and the Number of MPs](#), 18 June 2020
- House of Commons, '[Written Statement: Update: Strengthening democracy](#)', 24 March 2020, HCWS183
- UK Parliament, '[Parliamentary Constituencies \(Amendment\) Bill 2017–19](#)' and '[Parliamentary Constituencies \(Amendment\) Bill 2019–21](#)', accessed 20 July 2020
- House of Commons Public Administration and Constitutional Affairs Committee, [Parliamentary Boundary Reviews: What Next?](#), 19 February 2018, HC 559 of session 2017–19; and [Government Response](#), 11 May 2018
- House of Commons Political and Constitutional Reform Committee, [What Next on the Redrawing of Parliamentary Constituency Boundaries?](#), 15 March 2015, HC 600 of session 2014–15; and [Government Response](#), 11 February 2016