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Constituency boundary reviews and the number of MPs



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Summary

The number of seats

The House of Commons is now fixed at 650 seats.

There had been steady increase in the number of Parliamentary constituencies from 625 in 1950, to 659 from 1997. It remained at 659 until 2005. In 2005 the number dropped to 646. This followed the re-establishment of the Scottish Parliament and the associated reduction in the number of Scottish seats in Westminster. In 2010 the number of seats increased to 650, the current number.

Boundary reviews

Parliamentary constituency boundaries are reviewed periodically. This is principally 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.

Boundary Commissions

The reviews are undertaken by independent Boundary Commissions. There are four Commissions, one each for the four nations of the United Kingdom. The Commissions are independent of Government but must follow the Rules of Redistribution set out in legislation and decided by Parliament.

An important part of reviews is the public feedback on proposals. When a Commission publishes a set of proposals it triggers a round of public consultation. There are up to three rounds of consultation.

Background to reviews

The Commissions and the Rules they must follow were first established in 1944. The Rules guaranteed a minimum number of seats for Scotland, Wales and Northern Ireland and instructed the Boundary Commission for England to maintain the number of seats broadly at the existing level.

The Rules of Redistribution were amended several times over the years by Parliament, but the process remained broadly the same. The Commissions had to create seats close to the electoral quota but had discretion to deviate based on other considerations, such as local ties and geographical features.

There had been concern since the 1970s that the Rules of Redistribution needed amending. There had been an ever-increasing number of seats and the difference between the electorates of the smallest and largest seats had grown.

New Rules of Redistribution introduced in 2011 were meant to reduce the size of the House of Commons and fix it at 600 seats. They would also ensure the electorates of each seat would be similar.

Two reviews were held that were meant to reduce the size of the House of Commons to 600 seats. Neither was implemented. The Rules of Redistribution were altered in 2020 to fix the House of Commons at 650 seats but the primacy of the rule that constituencies should be of a similar size was retained.

The current Rules

The number of constituencies in the House of Commons is now fixed at 650. The number of seats between the four nations of the UK are allocated proportionally. This is based on the registered Parliamentary electorate in each part of the UK. There is no longer a guaranteed minimum for any country.

Constituencies must have an electorate within a 5% of the 'electoral quota'. The quota is the average number of Parliamentary electorate per constituency. There are five island seats that are exempt from the 5% rule: Orkney and Shetland, Na h-Eileanan an Iar, Ynys Môn, and the two seats allocated to the isle of Wight.

Commissions must give primacy to the 5% rule but may also consider other factors. These are existing Parliamentary constituency boundaries, local ties, local government boundaries and special geographical considerations, such as size, shape and accessibility of a constituency.

The latest review, the 2023 Review, was started in January 2021. It must be completed by 1 July 2023. Once completed the final recommendations of the four Commissions must be implemented automatically.

The allocation of seats between each of the nations of the UK is calculated based on the proportion of the UK registered electorate in each country:

- England 543 (+10)
- Scotland 57 (-2)
- Wales 32 (-8)
- Northern Ireland 18 (no change)

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](#).

1 Introduction – the number of seats

The number of MPs has changed over the years as a result of the redistribution of seats and boundary changes to constituencies. The current number of seats, 650 resulted from the Fifth Periodical Review.

In the 19th and early 20th centuries these changes were linked to major franchise and Parliamentary reform. As the table shows the number of MPs in Westminster remained broadly stable at around 660-70 seats.

House of Commons: historic number of seats

Period	Seats
1832-1874	658
1874-1885	652
1885-1918	670
1918-1922	707
1922-1945	615
1945-1950	640
1950-1955	625
1955-1974	630
1974-1983	635
1983-1992	650
1992-1997	651
1997-2005	659
2005-2010	646
2010-present	650

Source:

Rallings and Thrasher, British Electoral Facts 1832-2006; House of Commons Library Briefing Papers

It was only in the early twentieth century that the principle of an equal numbers of voters for each MP was broadly accepted. The redistribution of seats that occurred in 1917-18 was based on population and led to a growth in the number of seats in the House of Commons to 707.

The total fell back to 615 in 1922. This followed the constitutional changes accompanying the creation of the Irish Free State. Only the six counties of

Northern Ireland returned MPs to the Westminster Parliament from the 1922 General Election.

Section 8 gives an overview of the historical growth of the House of Commons and the ad hoc redistributions that happened before 1945.

The current system of systematic reviews of Parliamentary constituencies began in the 1940s. Permanent statutory Boundary Commissions were established for each of the nations of the United Kingdom. They were instructed to keep Parliamentary constituency boundaries under review based on registered electorates with a set of statutory rules set out in legislation. Section 7 looks at previous periodical reviews and how the Rule of Redistribution have changed over the years.

The first review was a special review conducted in England to reduce the size of the constituencies with the largest electorates (those with over 100,000 registered electors). This was followed by an Initial Review. This increased the House of Commons to 640 seats at the 1945 General Election. The Boundary Commissions then started their initial general review of all seats.

In 1950, after the implementation of the Initial Review the number of seats fell to 625. Subsequent reviews saw the number of seats gradually increase. This became known as the 'ratchet effect'. Critics said this indicated the Rules of Redistribution needed modification to prevent the size of the House of Commons expanding continuously. Section 4.2 gives an overview of the this 'ratchet effect'.

The Fifth Periodical Review, which created the current constituency boundaries, was the first review to be implemented at different times in different parts of the UK. In Scotland, the Fifth Review was implemented at the 2005 General Election and saw the number of Scottish seats fall from 72 to 59. This was as a result of the re-establishment of the Scottish Parliament. The total number of seats in Westminster dropped to 646.

The new constituency boundaries resulting from the Fifth Review for rest of the UK were implemented at the 2010 General Election. The Boundary Commission for England was conscious of the ratchet effect and kept the increase in the number of seats to a minimum. This led to a small increase in 2010 overall to 650 seats.

Following the 2010 General Election the new Coalition Government introduced legislation to amend the Rules of Redistribution to limit the size of the House at 600 seats and to equalise the electorates between seats.

Two reviews were conducted under the new Rules. The 2013 Review was abandoned before the Boundary Commissions could make final recommendations. This followed disagreements between the Coalition Government partners about the package of constitutional reform. House of Lords reform was dropped and in response the Liberal Democrats, the junior partner in the Coalition, said they would vote against the implementation of the 2013 Review.

The 2018 Review completed all its stages. However, the review was not implemented. In March 2020, the Government announced that it was minded to cancel the reduction of the number of seats to 600. It cited the UK's exit from the EU as likely to increase the workload of Members of Parliament.

Section 6 outlines the most recent changes to the Review process introduced in the [Parliamentary Constituencies Act 2020](#), which included fixing the number of seats at 650.

Section 2.3 details the current Rules of Redistribution and review process in place since 2011, as amended by the 2020 Act. Section 4 examines the background to the introduction of the 2011 Rules and section 6 summarises the 2020 changes.

Once the Commissions have handed over their final recommendations to the Speaker of the House of Commons their role ceases. Section 2.8 outlines the process of implementing new constituency boundaries. This is done by the submission of a draft Order in Council for approval by Her Majesty in Council. The Government is responsible for drawing up the draft Order.

Changes introduced in 2020 now mean the final recommendations of the four Commissions must now be implemented automatically. The Government cannot make changes to the final recommendations and Parliament has no role in approving the draft Order.

2

Current review process

Summary

The [Parliamentary Constituencies Act 1986 sets the statutory framework for boundary review](#). The 1986 Act was a consolidation measure that brought together previous enactments without making any amendments. Provisions in the Act have since been amended, in 2011 and 2020.

The legislation establishes the four independent Boundary Commissions, one for each country of the UK, and their membership. The Chair of each Commission is the Speaker of the House of Commons, although by convention the Speaker plays no role in the Reviews.

The Rules of Redistribution are set out in the 1986 Act. The current Rules, as amended, state that there will be 650 seats in the House of Commons.

All seats must have an electorate within 5% of the UK-wide electoral quota. The quota is the average number of electors per constituency. The allocation of seats between the four nations of the UK is based on the proportion of the registered electorate in each nation.

There are some exceptions to the strict implementation of the 5% rule:

- There are five protected constituencies: Orkney and Shetland, Na h-Eileanan Siar, the island seat of Ynys Môn, and the two seats allocated to the Isle of Wight.
- A constituency cannot be larger than 13,000 square kilometres and if it is larger than 12,000 square kilometres a Commission can create a seat with an electorate below 95% of the quota.
- The Boundary Commission for Northern Ireland has limited scope to deviate from the 5% rule in accordance with a prescribed formula if required.

The 1986 Act also sets out the frequency that reviews should be conducted and how those reviews are to be implemented once complete. There are also statutory requirements in relation to public consultation stages of the review process.

2.1 Legislative background

The periodic reviews of Parliamentary constituency boundaries are statutory processes. The legislation underpinning the review process is the [Parliamentary Constituencies Act 1986](#), as amended.

The 1986 Act, as passed, was a consolidation measure. It brought together the various enactments relating to redistribution in one piece of legislation. There was no substantive debate at the time. At second reading of the Bill in the Commons the then Solicitor-General explained the consolidation measure:

This Bill consolidates the House of Commons (Redistribution of Seats) Acts from 1949 to 1979, together with a small number of related enactments. It brings together the law relating to the establishment of parliamentary constituencies and the process of reviewing the distribution of seats undertaken by the Boundary Commissions for England, Scotland, Wales and Northern Ireland.

The Bill, which was prepared by the Law Commission, has been passed in another place where, in the usual way, it was referred to the Joint Committee on Consolidation Bills. That Committee reported to both Houses on 25 June that the Bill is pure consolidation. No change in the present law will be effected.¹

2.2 The Boundary Commissions

There are four Boundary Commissions, one for each nation of the UK. They are independent, non-political and impartial. Each is an advisory non-departmental public body.

The Boundary Commission for England and the Boundary Commission for Wales are both sponsored and wholly funded by the Cabinet Office. The Boundary Commission for Scotland is sponsored and wholly funded by the Office of the Secretary of State for Scotland. The Boundary Commission for Northern Ireland sponsored and funded by the Northern Ireland Office. Government ministers play no role in the operation of the Commissions.

The members of the Commissions are specified by [schedule 1](#) of the 1986 Act. Each commission has a chair, deputy chair and two other commissioners.

¹ [HC Deb 24 October 1986 \[Parliamentary Constituencies Bill Lords\]. c1445](#)

The ex-officio chair of each Commission is the Speaker of the House of Commons. By convention the Speaker plays no role in the proceedings of any Commission.

The deputy chairs must be High Court judges but there are no specific qualifications required for the other boundary commissioner positions.

The deputy chairs in England and Wales are appointed by the Lord Chancellor. In Scotland the appointment is made by the Lord President of the Court of Session and in Northern Ireland, by the Lord Chief Justice of Northern Ireland.

Their independent footing ensures the impartiality and fairness of the review process. The Commissions pay no attention to patterns of voting in any elections. Party representatives and MPs can make submissions to the Boundary Commissions as part of the public consultation process, but their submissions are not given any more weight than those of members of the public. Therefore, accusations of ‘gerrymandering’ by the Commissions are unfounded.

2.3

Current Rules of Redistribution

The Rules of Redistribution are the statutory rules the Commission must follow. The current Rules are contained in [schedule 2](#) of the Parliamentary Constituencies Act 1986, as amended.

New Rules were inserted into schedule 2 by the [Parliamentary Voting System and Constituencies Act 2011](#) (see section 4 for more on the background to the 2011 changes). They have subsequently been amended again by the [Parliamentary Constituencies Act 2020](#) (see section 6 for the background to the 2020 changes).

Rule 1 states the number of constituencies in the United Kingdom shall be 650.

Rule 2 provides the electorate of any constituency shall be—

- (a) no less than 95% of the United Kingdom electoral quota, and
- (b) no more than 105% of that quota.

This is subject to the requirements of Rules 4, 6 and 7.

Rule 2 also provides the method of calculating the quota. It is the average registered electorate of the UK for the 645 constituencies governed by the Rules (this excludes the five excepted constituencies in Rule 6).

Rule 3 states that every constituency must be wholly within one of the four nations of the UK. The allocation of the number of seats for each nation is set out in Rule 8.

Rule 4 says a constituency cannot be larger than 13,000 square kilometres in area. If it is over 12,000 square kilometres then a Boundary Commission can waive the 5% rule. The largest seat created under the previous Rules of Redistribution, by area, is currently Ross, Skye and Lochaber, which is 12,606 square kilometres.

Rule 5 says that a Commission may consider other factors when considering its recommendations but these are subordinate to rules 2 and 4.

The factors that it may consider are:

- (a) special geographical considerations, including in particular the size, shape and accessibility of a constituency;
- (b) local government boundaries as they exist or new local government boundaries that have been approved by legislation but that are yet to be introduced on the review date (see Rule 9 for the Review date);
- (c) boundaries of existing constituencies;
- (d) any local ties that would be broken by changes in constituencies;
- (e) the inconveniences attendant on such changes.

Before the current rules were inserted into the 1986 Act, the Commissions had greater discretion to take account of these factors. It meant that equality of the electorates of constituencies was one of several that the Commissions could consider when making their recommendations. The Commissions could recommend constituencies with electorates that deviated from the quota by a wider margin.

Rule 6 lists the five protected constituencies that are not subject to the requirement to have an electorate within 5% of the quota. These are:

- Orkney and Shetland, comprising the areas of the Orkney Islands Council and the Shetland Islands Council;
- Na h-Eileanan an Iar, comprising the area of Comhairle nan Eilean Siar;
- Two seats covering the Isle of Wight;
- Ynys Môn, comprising the area of the Isle of Anglesey County Council.

Rule 7 contains the formula for the calculation of the special provision for Northern Ireland.

It allows the Commission to recommend constituencies which fall slightly above or below the UK range of +/- 5% in some circumstances. This is in accordance with a prescribed formula. This rule was included to compensate for the possibility of the Boundary Commission for Northern Ireland being unable to recommend constituencies that complied with Rule 2 as a result of the allocation of seats between the nations.

The explanatory notes to the Rules explain:

Since the result of rule 3 is that a whole number of constituencies is allocated to each part of the UK (which is done as set out in rule 8), it will almost always be the case that the number of constituencies allocated to a part of the UK is very slightly higher or lower, by a fraction of a constituency, than its purely theoretical entitlement. This may have a consequential effect on the average size of a constituency in Northern Ireland which, because of the smaller electorate in Northern Ireland compared to other parts of the UK, might constrain the ability of the Boundary Commission for Northern Ireland (BCNI) to recommend constituencies within the parity principle in rule 2.

Rule 8 provides the method to assign the number of seats between the four nations based on the proportion of registered electors within each nation. This is done using the Sainte-Laguë method.

Sainte-Laguë a statistical method for assigning seats in electoral systems. It was also used to distribute the allocation of UK's seats in the European Parliament between the regions of the UK. The Electoral Commission consulted on the best way of allocating seats when the UK changed the voting system for European Parliament elections to a proportional system in 2004. Expert advice given to the Electoral Commission during consultation stated the Sainte-Laguë method was the 'the best and most efficient of apportionment systems'. It avoids some of the flaws in other systems where the process of rounding can lead to too many or too few seats being allocated, and it avoids the bias towards larger regions that the d'Hondt method has been shown to produce.²

Rule 9 provides interpretation on terms included in rules 1-8. This includes the definition of the 'review date'. This is two years and ten months before the deadline for the final reports to be delivered to the Government. The review date is important for calculating the registered electorate and for determining which local government boundaries the Boundary Commissions can have regard to.

² Electoral Commission, [Distribution between electoral regions of UK MEPs](#), 2003, p4

Rule 9 also defines new, or prospective, local government boundaries as those where a local government boundary review has been completed and approved in legislation (usually a statutory instrument). Local government boundary reviews are undertaken by separate independent bodies to the Parliamentary Boundary Commissions. New ward boundaries are usually implemented at the next scheduled local election after a statutory instrument (SI) takes effect. This can sometimes be a year or two after the SI has been made.

What the Rules do not include

The Boundary Commissions do not consider election results, voting patterns or the prospective fortunes of political parties when considering their proposals. Nor can they take account of electoral registration rates.

The Rules of Redistribution require the Commissions to base their calculations on the registered electorate on the review date. They cannot make any provisions for claims of under- or over-registration in a particular area.

The Commissions also do not consider population trends or predictions of growth or decline when formulating their initial proposals. However, the Boundary Commission for England noted in its guidance for the 2018 Review that it did not “take the view that it is obliged to shut its eyes entirely to growth (or decline) that has occurred since the review date.”³ If evidence was presented as part of a submission during a public consultation phase, the assistant commissioner responsible for that area would consider it.

2.4

Frequency of reviews

Section 3 of the 1986 Act, as amended, determines the frequency of current reviews. The frequency of reviews has been changed several times over the years (see section 7).

The current frequency is that reviews should occur every eight years and is determined by the deadlines for the final reports of the Commissions given in the Act.

The deadline for the first completed review to reduce the House of Commons to 600 seats was 1 October 2018. The deadline for subsequent review was set at 1 October every fifth year after 2018, meaning the next review would be due to be completed in September 2023.

The [Parliamentary Constituencies Act 2020](#) altered the timing of reviews to every eight years following the completion of the 2023 Review (see section 6

³ Boundary Commission for England, [Guide to the 2018 Review of Parliamentary constituencies](#), p10

for more on the 2020 changes). 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.⁴

2.5

The electoral quota

The electoral quota refers to the target electorate for each constituency. It is calculated, as noted above, as required in Rule 2 of the Rules of Redistribution.

The quota is calculated as the average electorate of all existing seats to be redistributed. The electorates of the exempt island areas, the councils of Orkney and Shetland, the area of Comhairle nan Eilean Siar, the Isle of Wight council area, and Ynys Môn are not included in the calculations.

Under the current rules, the electorates of the remaining areas of the UK are added together and divided by the number of seats to be created, currently 645 (650 minus the five exempted seats).

The electorate comprises registered Parliamentary electors as on the review date. This is usually the 1 December register 2 years and 10 months before the deadline for the reports. For the 2023 Review the data used is Parliamentary registers in force on 2 March 2020.

This one-off change for the 2023 Review was approved as a result of the coronavirus pandemic. This was considered to be the most accurate electoral register before coronavirus restrictions were imposed. There were concerns that the December 2020 registers may not have been as complete as they might otherwise have been because of the impact of lockdowns during the pandemic.

The total Parliamentary electorate on 2 March 2020 was 47.1 million. This is the highest figure recorded. The December 2020 figure was 46.9 million.⁵

Parliamentary electors are people eligible to register and to vote in UK Parliamentary elections: resident British, Irish and qualifying Commonwealth citizens not subject to any other incapacity to vote. A ‘qualifying’ Commonwealth citizen is one who has leave to remain in the UK, or one who does not require leave to remain. The calculation also includes attainers. An

⁴ Section 3 of the Parliamentary Constituencies Act 1986, as amended by [section 1](#) of the Parliamentary Constituencies Act 2020

⁵ ONS Electorate statistics [March 2020](#) and [December 2020](#)

attainer is a person who is eligible to register and attains the age of 18 during the next year.

EU citizens who are resident in the UK and registered to vote in local elections are not included in the calculations. The local election register is technically a separate register.

The Rules of Redistribution require Boundary Commissions to create constituencies with registered electorates within plus or minus 5% of the quota. However, this does not require Commissions to create constituencies with the minimum possible deviation from the quota. If a Commission was able to recommend a constituency with only a 1% variance, but it could also create a seat with a 4% variance that better took account of local ties and/or existing boundaries its preference would be for the 4% variance.

One of the criticisms of the review process before the 2011 changes was that it took too long, particularly in England, and that could lead to constituencies created using data that was already some years old. Ironically, since neither the 2013 nor the 2018 Reviews have been implemented, the data used for the current constituencies are about 20 years out of date.

Population versus electorate

When the process of periodical reviews was established in the 1940s the choice was made to use registered electorates rather than population levels as the basis for redistribution (see section 7). The Committee that made the recommendation calculated that back then both criteria produce virtually identical results except in the case of regions containing an abnormal proportion of people under the age of 18.⁶

There have been calls for population to be considered as the basis for redistributing seats rather than electorates on the grounds MPs are expected to represent all their constituents, regardless of whether they are entitled to vote.⁷

Population figures would take better account of those not entitled to vote in UK Parliamentary elections but taking account of overseas voters raises another issue. Currently overseas British voters are registered in the constituency in which they were last registered to vote before leaving the UK.

The issue of population versus electorate was examined by the Political and Constitution Select Committee in 2014-15, when it examined the process of boundary reviews.

One of the issues it heard was the principle of equality of votes. It would be weakened by using population over electorate:

⁶ Ibid, p18

⁷ See: Lewis Baston, [Electoral Collision Course?](#), The Constitution Society, August 2014 pp7, 39-43

The decision which to use is clearly one of political philosophy and principle: should MPs be elected on the basis of equality in those registered to vote for them (even if they choose to abstain); or should they be elected on the basis of all residents in their constituency?⁸

The Committee heard evidence that about half of countries use population as the basis for redistricting. It also heard from witnesses that the relationship between actual population size and the size of the registered electorate had declined over time. The two main factors were levels of under-registration and a larger number of foreign nationals now resident in the UK than when the system was created.⁹

Witnesses noted there would be some practical difficulties to the five-year cycle of boundary reviews in place at the time if based on population data. Accurate census data is collated once every ten years.

Not everyone responds to the census, and similar groups to those who are least likely to register to vote are least likely to respond to a census. The census is designed to estimate the level of population taking these factors into account and the 2011 census in England and Wales concluded the true population count was expected to be within 83,000 of the published population estimates.¹⁰

The completeness of the census data compares well with that of electoral registers but the future of the decennial census is uncertain. Future population data is likely to be based on administrative data and the three census offices covering the UK may have different methodologies for some data, although harmonisation is a key consideration. Recommendations on future censuses are not due until 2023.¹¹

Under-registration is perennial problem. Research consistently shows that certain categories of people are less likely to be registered. Electoral Commission research shows that young people, students and those who have recently moved are least likely groups to be registered. Other factors associated with lower rates of registration include ethnicity, nationality and attitudes towards registration and voting.¹² The Home Affairs Select Committee conducted an inquiry on electoral law in 1982-83 and noted that those least likely to register were those from non-white ethnic backgrounds, frequent movers in rented accommodation and attainers.¹³

The latest estimate of the completeness of the electoral register, the measure of how many people were eligible to register and actually on the register,

⁸ Professor Ron Johnston, Dr David Rossiter And Professor Charles Pattie - [written evidence RPB0020](#), Ordered to be published 24 Nov 2014

⁹ Political and Constitution Committee, [What next on the redrawing of parliamentary constituency boundaries?](#), Eighth Report, HC 600 2014-15, p29

¹⁰ ONS, 2011 Census General Report, p217

¹¹ Library briefing, [Preparing for the 2021 census \(England and Wales\) \(CBP 8531\)](#)

¹² Electoral Commission, [Accuracy and completeness of electoral registers](#), 2019

¹³ Home Affairs Select Committee, Representations of the People Acts, HC32, 1983/83

suggests the Parliamentary register in Great Britain is about 85% complete and lower in Northern Ireland. This is a similar level to that of similar studied in recent years. The number of people not correctly registered or not registered at all could be over nine million based on figures from 2018.¹⁴

Some countries automatically register voters without the need for the voter to do anything, particularly in countries with national ID schemes. The Electoral Commission has conducted feasibility studies on the use of other data held by government and public authorities to assist electoral registration officers carry out their statutory duty of ensuring electoral registrations.¹⁵ This could help improve the completeness of the registers which would have the knock-on effect of improving the data underpinning boundary reviews.

There are several issues relating to more automation or fully automated registration. The current registration process places the onus on the individual to register. In 2014-15 the Coalition Government responded to the Committee's recommendations that it believed that registering to vote was a civic duty that individuals were responsible for under the individual electoral registration (IER) system of voter registration. The Government said, "This belief is incompatible with a system of automatic registration."¹⁶ The current Government has made the same point.¹⁷

The Joseph Rowntree Reform Trust commissioned a study on the possible implications of fully automated voter registration and voter registration assisted by more automation. It highlighted concerns over data protection and privacy issues, and security of the data being held. The report also noted the practical implications for how electoral registers are compiled.¹⁸

At the time the Political and Constitution Committee was conducting its inquiry, the UK was coming to the end of a transition phase of how voters were registered. The previous system of household registration was replaced by individual electoral registration (IER), where each individual is now responsible for ensuring they are registered to vote. The process had been recommended by the Electoral Commission and legislation to change the process was passed by Parliament under the last Labour Government. The Coalition Government passed amending legislation that speeded up the final phase.¹⁹

There had been concerns about the effect of the switch on the number of registered voters. The December 2015 registers were of particular concern

¹⁴ Electoral Commission blog, [Registering the missing millions](#) by Sir John Holmes Chair of the Commission

¹⁵ Electoral Commission, [Modernising electoral registration: feasibility studies](#), 2019

¹⁶ Political and Constitution Committee, [What next on the redrawing of parliamentary constituency boundaries?](#), Eighth Report, HC 600 2014-15, p12

¹⁷ Cabinet Office, [The UK Government's Response to the Electoral Commission's reports on the 2017 UK Parliamentary General Election](#), p21

¹⁸ Toby James, [Is it time for Automatic Voter Registration in the UK?](#)

¹⁹ Library briefing, [Individual Electoral Registration](#),

because they would form the statistical basis for the 2018 Review of Parliamentary constituencies.

Some commentators wrongly claimed that 1.9 million people were going to be removed from the electoral register.²⁰ At the end of transition, in December 2015, the Electoral Commission stated the actual number of removed entries was approximately 770,000. These were entries that been created before IER and could not be verified following the annual canvass and attempts by registration officers to verify them. In a report published in July 2016, the Electoral Commission said that most, but not all, of the entries removed at the end of the transition to IER in December 2015 were redundant entries that had correctly been removed. However, there was a large drop in the number of registered attainers. These would have previously been registered by a parent/guardian acting as the head of the household.²¹

In December 2014 there were 45.3 million Parliamentary electors in the UK. This fell to 44.7 million in December 2015 but then started to rise again. There were 45.8 million in December 2018 and 47.1 million in December 2019. The latest figure for December 2020 is 46.9 million.²²

In 2014-15, the Select Committee recommended the next Government commission research into how population data could be used as the basis for reviewing parliamentary constituency boundaries

The Government response to the Committee's report came after the 2015 General Election. The Conservative Government's response maintained that electoral registers were still the most appropriate basis for the redistributing of seats:

The existing process for drawing boundaries operates on the basis of the electoral register, and has done so since at least the 1940s. It is the Government's view that the electoral register remains the most appropriate database for Parliamentary boundary reviews. It makes sense to base Parliamentary constituencies on the Parliamentary electoral register; to use population would undermine the principle of one elector, one vote. There are also powerful practical reasons for doing so: the register is updated annually, while population statistics, are updated on a ten-year basis and are themselves imperfect. The Secretaries to the English and Scottish Boundary Commissions highlighted these practical issues in their evidence to the Political and Constitutional Reform Committee. Boundary Commissions highlighted these practical issues in their evidence to the Political and Constitutional Reform Committee.

²⁰ Guardian, [Labour accuses David Cameron of manipulating electoral system](#), 16 July 2015

²¹ Electoral Commission, [The December 2015 electoral registers in Great Britain Accuracy and completeness of the registers in Great Britain and the transition to Individual Electoral Registration](#), July 2016, pp37

²² [ONS Electoral Statistics](#), various years

In its 2015 manifesto, the Labour Party highlighted its view that the drawing of constituency boundaries should take greater account of the number people living within them regardless of whether or not they were registered to vote:

Drawing on the work of the Political and Constitutional Reform Committee, we will take steps to ensure that the move to individual electoral registration does not leave millions unregistered, nor lead to constituencies that fail to take into account the people who live in them. This will include block registration by universities and care homes, extending Northern Ireland's successful Schools Initiative, and exploring the scope for an automatic system of registration.²³

2.6

Public consultation and publicity

Section 5 and schedule 2A of the 1986 Act, as amended outline the requirements for publicity and public consultation. There are three stages to the publicity and consultation process.

The time allowed for consultation stages in the 2023 Review will be shortened to 18 weeks in total. This is because the time available for the 2023 Review has been shortened overall. Subsequent reviews will have 24 weeks consultation split over three periods of 8 weeks.

Interested parties, including MPs and political parties, can make representations at any stage of the process. Submissions from politicians, parties or local councils carry no more or less weight than any other submission.

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 the

²³ Labour Party, [The Labour Party Manifesto 2015](#), p83-4

Commission sees fit and will happen several weeks after the close of the 8-week period.

Secondary consultation

Publication of the submissions from the initial consultation triggers the secondary consultation period. This phase also includes public hearings.

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.

For the 2023 Review this secondary consultation will last 6 weeks. In subsequent reviews the secondary consultation will last 8 weeks.

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.²⁴

The chair can choose the order of contributions, may restrict time allowed, and if time runs short chose 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.

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.

The Library briefing, [Parliamentary boundary reviews: public consultations \(CBP 7696\)](#), has more detail on the current consultation process and how that differs from previous reviews.

2.7

Constituency names and designation

Naming conventions

The Boundary Commissions are responsible for recommending the names of constituencies. The legislation does not define how this should be done.

The Commissions have developed naming conventions over the years. The conventions differ slightly between Commission. In general, if existing constituencies remain largely unchanged, the Commissions will retain the existing constituency name unless there is a good reason to change.

New constituencies normally reflect the main populations centres. The public consultation stages of a review will sometimes find consensus on alternative names that the Commissions will consider. They will avoid using a long list of names that attempt to describe every population centre exhaustively.

The Boundary Commission for England will use compass point names when there is not a more suitable name. The compass point reference used will generally form a prefix in cases where the rest of the constituency name refers

²⁴ Paragraph 9 of [Schedule 2A](#) of the Parliamentary Constituencies Act 1986, as amended

to the county area or a local council, but a suffix where the rest of the name refers to a population centre.²⁵ For example, in Norfolk the county constituencies are South West Norfolk, North West Norfolk, etc but the borough seats of Norwich are Norwich North and Norwich South.

The Boundary Commission for Scotland ensures that Westminster constituencies and Scottish Parliament constituencies are distinguishable. In Edinburgh, for example, the Westminster constituency of Edinburgh East is distinguished from the Scottish Parliament constituency of Edinburgh Eastern. It does not place compass points at the start of a name, unless the compass point forms part of the name of the council or town (for example East Kilbride).²⁶

In Northern Ireland, the Commission has decided to retain the existing name where a new constituency is recognisably similar to an existing one and the name still fits. Otherwise, it would, where appropriate, apply the established convention of naming constituencies after counties qualified by compass points (for example 'East Antrim').²⁷

In Wales, the Commission has power under the Welsh Language Act 1993 to confer alternative names in Welsh and English.

In the Commission's proposals reports, alternatives are provided in Welsh where the primary constituency name is in English and in English where the primary constituency name is in Welsh. Where a constituency name is acceptable in both Welsh and English, for example Llanelli, there will be no alternative.²⁸

Designation

Each Commission is responsible for designating a constituency either a borough (urban) or county (rural) constituency. In Scotland borough seats are designated as burgh constituencies. The criteria for designation is not set out in the legislation. The Commissions' policy have been to designate seats that contain more than a small rural element as county constituencies

The main effect of the designation is in linked to regulated election expenditure by a constituency candidate in a general election campaign period. As county constituencies are geographically larger, they have a slightly higher spending limit.

²⁵ Boundary Commission for England, [Guide to the 2018 Review](#), p10

²⁶ Boundary Commission for Scotland, [2018 Review of UK Parliamentary Constituencies Policies and Procedures](#), p7

²⁷ Boundary Commission for Northern Ireland, [Guide to the 2018 Review of Parliamentary Constituencies](#), p5

²⁸ Boundary Commission for Wales, [Guide to the 2018 Review](#), p9

Spending by constituency candidates is currently fixed at £8,700 plus 6p per registered voter in a borough/burgh seat and 9p per registered voter in a county seat.²⁹

In England and Wales, the designation also determines who is the returning officer for each constituency.³⁰

2.8 Implementing proposals

The 1986 Act, as amended, sets out how the new boundaries recommended by the Boundary Commissions are implemented.

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 Government must draw up a draft Order in Council containing the final recommendations of the Commissions without amendment. 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.

Laying the reports

Once the Speaker of the House receives the reports from the four Boundary Commissions, she/he must lay them before Parliament. The legislation does not give a time limit but there is an expectation that this would be as soon as reasonably practicable.

Once laid, the reports must be published by the Commissions. This can be done any way they see fit but the legislation says it must be done “as soon as reasonably practicable” after the report is laid.³¹

Automatic implementation

The Parliamentary Constituencies Act 2020 amended the 1986 Act by scrapping the previous provisions that required both Houses of Parliament to vote on a draft Order in Council before being presented to Her Majesty for approval.

²⁹ [Section 76](#), Representation of the People Act 1983, as amended

³⁰ [Section 24](#), Representation of the People Act 1983, as amended

³¹ Section 3 of the Parliamentary Constituencies Act 1986, as amended by [section 1](#) of the Parliamentary Constituencies Act 2020

Implementation is now automatic and the 2020 changes also meant 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.³²

[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.³³ 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”.

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

³² Section 4 of the Parliamentary Constituencies Act 1986, as amended by [section 2](#) of the Parliamentary Constituencies Act 2020

³³ Ibid

Using the new boundaries

The Order in Council will include a provision stating the date on which the order comes into force.

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.³⁴

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

³⁴ [Section 4](#) (6) of the Parliamentary Constituencies Act 1986, as amended

3

2023 Review

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

In accordance with the provision of the 2020 Act the electorate used for the 2023 Review was the Parliamentary electorate as of 2 March 2020. This was 47.6 million.³⁵ The total was 9,400 lower than the December 2019 General Election but almost 3 million higher than the electorate data used for the abandoned 2018 Review.

All constituencies (except the five protected islands seats) will have to have electorates of 69,724 to 77,062 Parliamentary electors. This range is plus or minus 5% of the electoral quota of 73,393.

2023 Review allocation of seats - House of Commons

	Electorate*	Current number	Rule 8 allocation	Protected seats	Total allocation	Change
England	39,748,705	533	541	2	543	+10
East Midlands	3,481,126	46	47		47	+1
Eastern	4,482,127	58	61		61	+3
London	5,550,454	73	75		75	+2
North East	1,952,999	29	27		27	-2
North West	5,381,549	75	73		73	-2
South East	6,522,802	84	89	2	91	+7
South West	4,242,136	55	58		58	+3
West Midlands	4,169,012	59	57		57	-2
Yorkshire and the Humber	3,966,500	54	54		54	0
Scotland	4,023,611	59	55	2	57	-2
Wales	2,270,262	40	31	1	32	-8
Northern Ireland	1,295,688	18	18		18	0
Total	47,338,266	650	645	5	650	0

Note: * Electorate figures exclude the electorates of the protected islands constituencies.

Source: Boundary Commissions, various reports and announcements; ONS, Electoral Statistics, March 2020, published 5 January 2021

³⁵ ONS, [Electoral statistics, UK: March 2020](#), 5 January 2021

The table above shows the allocation of seats between the nations of the UK, based on the distribution formula in Rule 8, and the allocation of seats between the English regions. The Boundary Commission for England uses same distribution formula as Rule 8 to distribute the seats between the regions of England.

Guides to the Review have been produced by each Commission.³⁶

The Boundary Commission for England published its [initial recommendations](#) on 8 June 2021. 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.

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

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.](#)

³⁶ Boundary Commission for England, [Guide to the 2023 Review of Parliamentary constituencies](#) - March 2021, Boundary Commission for Wales, [Guide to the 2023 Review](#) - May 2021, [Boundary Commission for Northern Ireland](#) - May 2021, Boundary Commission for Scotland, [2023 Review of UK Parliamentary Constituencies Policies and Procedures](#) - September 2021

Publication of the initial proposals trigger the first round of public participation. Section 2.6 gives more details on how the public consultation stages work.

4

Background to changes in 2011

There were calls, supported by all major party leaders, for a transformation of politics following the expenses scandal of 2009. Among the proposals which surfaced were ideas for cutting the cost of politics by reducing the number of MPs.

In his speech on political reform on 26 May 2009, David Cameron, then Leader of the Opposition, said that a Conservative government would reduce the number of MPs.³⁷ The Conservative party manifesto for 2010 subsequently said that a Conservative government would reduce the number of MPs by 10 per cent.³⁸

The Liberal Democrats have a long-standing policy of electoral reform, preferring the Single Transferable Vote (STV) system. The Liberal Democrat 2010 manifesto committed to reducing the House of Commons by 150 seats with MPs elected by STV.³⁹

The Labour manifesto proposed a non-partisan Parliamentary Boundary Review to examine the rules for the redistribution of seats, together with a referendum on introducing the Alternative Vote (AV) system for elections to the Commons.⁴⁰

Following the 2010 General Election, the Coalition Government announced its programme for government on 20 May 2010.⁴¹ The section on political reform promised “a Referendum Bill on electoral reform, which includes provision for the introduction of the Alternative Vote in the event of a positive result in the referendum, as well as for the creation of fewer and more equal sized constituencies.”⁴²

In his 5 July statement, the then Deputy Prime Minister, Nick Clegg, announced the legislation would reduce the number of seats from 650 to 600.⁴³

³⁷ [David Cameron: Cutting the Cost of Politics](#), 8 September 2009

³⁸ [Conservative Party manifesto 2010](#), p8

³⁹ [Liberal Democrat Manifesto 2010](#), p88

⁴⁰ [Labour Party manifesto 2010, A future fair for all, p9:4](#)

⁴¹ [The Coalition: our programme for Government](#), 20 May 2010

⁴² *Ibid*, p27

⁴³ [HC Deb 5 July 2010 \[Political and Constitutional Reform\], c23](#)

4.1

Parliamentary Voting System and Constituencies Act 2011

The [Parliamentary Voting System and Constituencies Bill](#) was introduced on 22 July 2010.

Details of the [passage of the Bill](#) can be found on the Parliament website, including the [Library briefing](#) produced for Second Reading.⁴⁴ The Parliamentary Voting System and Constituencies Act 2011 received Royal Assent on 16 February 2011.

Various concerns had been expressed at the operation of the Rules of Redistribution before the changes enacted in 2011. The main areas were the general increase in the size of the House of Commons, the increasing time it was taking reviews to occur, particularly in England, and the continuing over-representation of Wales.

There were also perceptions of bias in the electoral system. The Commissions are impartial and do not consider the likely electoral outcome of their recommendations. However, the interaction of the factors within the Rules of Redistribution and the timescales of reviews meant that the principle of votes carrying equal weight was weakened. The two main parties would have gained significantly different numbers of seats with the same share of the vote.

The size and distribution of seats created by a boundary review are not the only factor that determines whether parties are treated equally.

The decline of two-party elections, the distribution of votes across the whole of the country, and the performance of third parties have wiped out most of the perceived bias that benefitted the Labour Party in the run up to the 2011 Rule changes.

The proposals to alter the voting system for the House of Commons from first past the post to AV were subsequently rejected in a nationwide referendum.⁴⁵

The provisions in the Act relating to fewer and more equal sized constituencies were retained.

The main changes brought in by the Act were:

- Fixing the number of seats for the House of Commons at 600;

⁴⁴ See Library briefings [The Parliamentary Voting System and Constituencies Bill \[Bill 63 of 2010-11\]](#), prepared for Second Reading, and [The Parliamentary Voting system and Constituencies Bill: summary of amendments](#)

⁴⁵ The results are detailed in the Library briefing, [Alternative Vote Referendum 2011](#)

- Allocating the seats between the nations proportionally based on electorate with seats based on a single UK electoral quota – ending the over-representation of Wales;
- Requiring that all seats, except four island seats preserved by the Act, must be within 5% of the electoral quota. The Commissions still had discretion to consider other factors, such as local ties, geography and local government boundaries as before, but these had to be subordinate to the 5% rule;
- Shortening the review cycle to require redistributions every five years;
- Altering the consultation process for interested parties to comment on proposals.

The Act also ended the power of the Commissions to conduct interim reviews. The decision to hold an interim review of a Parliamentary constituency rested with the Boundary Commissions. They were usually carried out to realign Parliamentary constituency boundaries with altered local government boundaries that had changed since a general review when a Commission thought it appropriate not to wait for another general review.

4.2

The ‘ratchet effect’ and the number of MPs

The pre-2011 Rules of Redistribution required the Commissions to create constituencies with electorates “as near the electoral quota as is practicable” having regard to the other rules. Rules 1 to 4 included provisions on the number of seats and which local government boundaries the Commissions should have regard to.

However, the rules also gave the Commissions considerable discretion to create constituencies with smaller electorates than the quota. Rules 5 and 6 included provision for the Commissions to depart from the strict application of the Rules 1 to 4. This could be if it was desirable to avoid disparities in the electorates of certain seats or if geographical considerations were relevant (for example if a Commission recommended a large geographic but sparsely populated constituency).

The result of the discretionary powers in Rules 5 and 6 was a tendency for the number of seats to increase at each review, the so-called ‘ratchet effect’.

This was because each review added more seats, so the following review started with more seats as a baseline for the calculation of the electoral quota. The Boundary Commissions would typically use their discretionary powers in Rules 5 and 6 to increase the number of seats again, and so on.

The first major research and recommendation for a revision of the rules came in the Home Affairs Select Committee report in 1986-87. It concluded the ratchet effect was a fundamental defect in the rules.⁴⁶

The evidence submitted by the Home Office concluded there was an urgent need to deal with this conflict between the rules. The Home Office favoured amending what was then Rule 7 to create a single electoral quota for the UK and the number of seats was fixed at the then current total (650 seats). Applying a UK-wide quota at the time it would have led to a reduction of 12 seats in Scotland and 6 in Wales. The Home Office also said it was worth considering whether to amend rule 5 so there was no longer a presumption towards rounding up the theoretical entitlement to seats to the next whole number.⁴⁷

The final recommendation of the Home Affairs Select Committee was that the Rules of Redistribution should be altered so they stabilised the number of seats and retained the over-representation of Scotland and Wales. This would be achieved by state number of seats for each nation was fixed at “not substantially more than” the existing numbers, but also use a fixed divisor for calculating the quota for each of the nations.⁴⁸

On the over-representation of Scotland and Wales, the Committee noted the different electoral quotas for each part of the UK “must be regarded as an intended consequence of the 1949 Act” and it did not recommend a single UK-wide quota, noting “In our judgment it would not be feasible on political grounds to change the rules so as to provide a uniform electoral quota for the whole United Kingdom.”⁴⁹

The over-representation of Scotland was ended after the re-establishment of the Scottish Parliament. The number of seats in Scotland was reduced in 2005 after the Boundary Commission for Scotland’s Fifth Periodical Review. It used the electoral quota for England in its review, reducing the entitlement of Scotland from 72 seats to 59.

The ratchet effect was most significant in England because of the larger number of seats. The Boundary Commission for England itself called for a review of the Rules for Redistribution on a number of occasions on the ground that they were internally inconsistent. In Chapter 6 of the report of the Fifth Review the Commission commented again on the need for legislative change:

6.33 On more than one occasion in the past, including in previous periodical reports, we and our predecessors have not only recommended that the legislation by which we work should be changed but we have also suggested how it should be changed. For example, in 1986, our predecessors gave evidence to the Home Affairs Committee about the difficulties in applying the legislation. In

⁴⁶ Home Affairs Select Committee, Redistribution of Seats, Second Report, HC 97 1986/87

⁴⁷ Ibid, p15

⁴⁸ Ibid, para 14

⁴⁹ Ibid, para 19

1995, following an internal study of the conduct and outcomes of the fourth general review, our predecessors were invited by the Home Office to submit their findings. In 1999, again at the invitation of the Home Office, we submitted our views on the changes that we considered should be made to the Rules for Redistribution of Seats and to the Parliamentary Constituencies Act 1986.

6.34 The introduction of new legislation over the years has provided a number of opportunities to amend the current, unsatisfactory rules and procedures (e.g. the Boundary Commissions Act 1992 and the Political Parties, Elections and Referendums Act 2000 to name two). However, the statutory rules and procedures remain unaltered.⁵⁰

The Committee on Standards in Public Life (CSPL) considered electoral boundary matters in its review of the Electoral Commission in 2007.⁵¹ The legislation establishing the Electoral Commission had provided for the Electoral Commission to take on the responsibility for boundary reviews. This was repealed in 2009 as a result of the CSPL report.

The CSPL noted there appeared to be a broad consensus amongst most academics, the Boundary Commissions, the Electoral Commission and many politicians that there was a need for a review of the Rules for Redistribution.

In its final recommendations the CSPL called for such a review and said it should address the ‘progressive inequality of electoral quotas and increase in the size of the House of Commons that appear inbuilt to the operation of the current rules.’⁵²

The Labour Government responded to the recommendations in November 2007 and agreed that it was appropriate to review the legislation; that the Government should commission such a review and that it should look at all aspects of the current legislation on Parliamentary boundary reviews with two specific exceptions. The exceptions were “(1) the deliberate over-representation of Wales and Northern Ireland in the UK Parliament and (2) that each constituency shall return a single MP.”⁵³ Despite the response no such review was commissioned.

When the Government introduced the [Parliamentary Voting System and Constituencies Bill in 2010](#), commentators were surprised at the ‘arbitrary’ choice of 600 seats. In a short pre-legislative inquiry, the Political and Constitutional Reform Committee heard evidence from several witnesses that the number chosen by the Government had not been preceded by analysis of the functional needs of the House of Commons. The Hansard Society told the Committee that it could find no rationale for the reduction to 600 members

⁵⁰ Boundary Commission for England, [Fifth Periodical Review](#), Cm7032, 2007, p487

⁵¹ Committee on Standards in Public Life, [Review of the Electoral Commission, Eleventh Report](#), Cm 7006, January 2007,

⁵² *Ibid*, p47

⁵³ [The Government response to the Committee on Standards in Public Life’s Eleventh Report, review of the Electoral Commission, Cm 7272](#), November 2007.

noting there was “real concern” the number had been “plucked from thin air—600 simply being a neat number.”⁵⁴

One of the concerns expressed by those giving evidence was the reduction in the number of seats was not being accompanied by a similar reduction in the size of the “payroll vote”. This has traditionally been used to describe MPs who hold positions from which they would have to resign in order to oppose the government. This includes ministers and their parliamentary private secretaries.⁵⁵

The then Deputy Prime Minister, Nick Clegg, defended the choice of 600 constituencies during the Bill’s Second Reading debate:

We settled on 600 MPs, a relatively modest cut in House numbers of just less than 8%, because it saves money—about £12 million each year—and because we think it creates a House that is sufficiently large to hold the Government to account while enabling us all to do our jobs of representing our constituencies. It also creates a sensible average number of constituents...76,000...that we already know is manageable because there are already 218 seats that are within 5% of that number. That is why we feel 600 is about right.⁵⁶

4.3

Frequency of pre-2011 reviews

The 1944 Act had set the frequency of reviews at every three to seven years, with timings based on the submission date of the First Review. In 1958 this was altered to every 10-15 years as the shorter period was considered to be too disruptive. In 1992 the frequency was shortened eight to 12 years as there were concerns the length of reviews was creating constituencies based on out of date data.

Concerns have been expressed for some time about the length of time the review process takes. The Committee on Standards in Public Life (CSPL) noted in its eleventh report on the Electoral Commission in 2007 that any review of the Rules for Redistribution should examine the time taken to conduct reviews, particularly in England.⁵⁷

In research commissioned in 2006 by the CSPL on boundary reviews, the authors examined the frequency of reviews. The report noted that in comparable countries, ten year was the maximum. It noted the case for more frequent reviews was that equal sized constituencies could be maintained even when the population changed. However, the CSPL also noted the case

⁵⁴ Political and Constitution Committee, [What next on the redrawing of parliamentary constituency boundaries?](#), Eighth Report, HC 600 2014-15, p21

⁵⁵ See the [Institute for Government explainer](#) on the payroll vote for more information

⁵⁶ [HC Deb 6 September 2010 \[Parliamentary Voting System and Constituencies Bill\], c39](#)

⁵⁷ Committee on Standards in Public Life, [Review of the Electoral Commission, Eleventh Report](#), Cm 7006, January 2007,

against frequent redistributions was the inconvenience, noting “constituencies are communities which should not be disrupted unnecessarily just to satisfy the principle of equal representation.”⁵⁸ MPs could face boundary change, possibly significant ones, at every election.

The link between MPs and their communities and the connections between communities in an area has long been recognised. James Callaghan, then Home Secretary, said in 1969 in a debate on boundary reviews, “constituencies are not merely areas bounded by a line on a map; they are living communities with a unity, a history and a personality of their own.”⁵⁹

A report by the British Academy on the Parliamentary Voting and Constituencies Bill 2010-11 highlighted another potential argument against five-yearly reviews in the light of the Coalition Government’s proposal for fixed-term Parliaments. It noted that reviews every five years mean that, with fixed-term Parliaments, a new set of constituencies would be in place approximately 18 months before every general election. It then went on to note that if an early general election occurred it would then cause further disruption, “parties would be competing to represent seats while making representations for the configuration of their replacements”.⁶⁰

The Political and Constitution Select Committee produced a report in 2014 on the operation of the new Rules of Redistribution. On the frequency of review, the Boundary Commission for England’s evidence suggested the new five-yearly review had been challenging because of the size of the task of reviewing 500 seats in a short time frame.

In oral evidence to the Committee, the Deputy Secretary to the Commission said:

I think the English commission would like to have a longer period of time between reviews. If you were to do 10-yearly reviews rather than five-yearly ones, we could go back to the system that we had in the past under which we reviewed the whole of England on a rolling basis. Rather than trying to do it all in one go, which almost broke us administratively last time, we could actually progress round the country.⁶¹

The Committee noted that there were strong arguments either way on the 5-year frequency and made no specific recommendations.

⁵⁸ Butler and McLean, [Report to the Committee on Standards in Public Life: the electoral Commission and the Redistribution of seats](#), 2006, p4

⁵⁹ [HC Deb 19 June 1969 \[Parliamentary Boundary Commissions \(Recommendations\)\]](#), c742

⁶⁰ British Academy, [Drawing a New Constituency Map for the United Kingdom the Parliamentary Voting System and Constituencies Bill 2010](#), p46

⁶¹ Political and Constitution Committee, [What next on the redrawing of parliamentary constituency boundaries?](#), Eighth Report, HC 600 2014-15, p29

The Government response to the Committee, published in 2016, said at that time it had no plans to change the existing statutory requirement for boundary reviews to be conducted every five years.⁶²

A summary of the timings of the previous Periodical Reviews is included in section 7.

4.4 Public consultations

The 2011 Act made changes to the way the review process was conducted and how the public should be consulted on the proposals. The current process is summarised in the Library briefing, [Parliamentary boundary reviews: public consultations \(CBP 7969\)](#).

Before the 2011 changes public consultation 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 Coalition Government argued that inquiries were not an effective way to seek opinion and were dominated by political parties and their legal representatives.

During the Fourth Periodical Review the shortest local inquiry took little over an hour and the longest, eight days.⁶³ In a report commissioned by the Committee on Standards in Public Life in 2006, as part of its review of the Electoral Commission, the authors argued there was a strong case for speeding up the process of the reviews. They suggested possible ways of improving the inquiry process:

3.6.1. Carrying out inquiries on a regional basis;

3.6.2. Scrapping the second consultation period with revised recommendations (a practice that serves more as a safety valve than as a source of important changes);

3.6.3. Endowing the Commission with a greater discretion about the issues which the Inquiries should address. More generally, an increase in staff and other resources would also accelerate the review process;

⁶² [Government Response to the Political and Constitutional Reform Committee's Eighth Report of Session 2014-15 What next on the redrawing of parliamentary constituency boundaries?](#), Cm 9203, February 2016, p10

⁶³ Rossiter, Johnston and Pattie, *The Boundary Commissions: redrawing the UK's map of Parliamentary constituencies*, Manchester University Press, 1999, p235

3.6.4. Removing the right of local authorities to trigger inquiries – on the grounds that local authorities typically reflect only the partisan opinion of the controlling party. Local authority arguments are much more heeded when put forward on an all-party basis and not just emerging from the ruling group. Therefore a possible compromise would be to allow a local authority to trigger an inquiry only when the vote in the authority to do so was passed [unanimously].⁶⁴

The report suggested sweeping changes:

4.6. A longer period should be allowed for comment on initial proposals- perhaps two months rather than one or even the minimum of twelve weeks now recommended by the Cabinet Office for all Departmental consultations. This could be combined with much shorter time limits for the subsequent stages. It can be argued that the Commissions should accept, as a Final Recommendation, the Assistant Commissioner's Report if it accorded with the Rules and if the evidence broadly supported the original proposals. Only if the Assistant Commissioner had acted outside the Rules or misdirected himself should there be a right of appeal. Such a procedure would be unworkable now, as the Rules contradict one another. But if the Rules were rewritten to be mutually consistent, it could become workable.⁶⁵

In its Fifth report the Boundary Commission for England also commented on inquiries. It said the one-month period for representations to be made after the publication of the Commissions' proposals was too short, since it did not fit in with many local authority meeting cycles.⁶⁶

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.

The Political and Constitutional Reform Committee Select Committee, among others, criticised the changes in relation to public consultation, saying:

The Bill would both abolish local inquiries for proposed boundary changes, and give the Boundary Commissions significantly less scope to make alterations to constituency boundaries than has been the case up until now. This will affect significantly how people can engage with the Commissions' proposed recommendations. Until now, Boundary Commissions have been able to take account of representations as they have seen fit. If, however, a representation

⁶⁴ Butler and McLean, [Report to the Committee on Standards in Public Life: the electoral Commission and the Redistribution of seats](#), 2006, pp5-6

⁶⁵ Ibid, p7

⁶⁶ Boundary Commission for England, [Fifth Periodical Report](#), Cm 7032, 2007, p487

under a future review proposed a boundary change that would break the rule on constituency equalisation, then, however strongly felt that representation might be within the locality, a Boundary Commission could not implement it, at least, not without making other boundary changes elsewhere, which had not been part of its original proposals.⁶⁷

During its passage the Bill was amended 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.

Government amendments were brought forward at Report stage in the House of Lords. They provided for a public hearing process in the initial 12-week period of consultation and a ‘counter-proposal’ consultation stage where all the representations from the initial 12-week period were to be published online to allow the public to comment on them.

The new public hearing process received some criticism. The Political and Constitution Committee 2014-15 report on boundary reviews in heard the public hearing process was less well attended than anticipated and had mixed results in feeding into the recommendations process. In evidence from the Commissions the Committee heard hearings did not add much to the evidence received in the written evidence although questions asked by the assistant commissioner conducting the hearing could tease out some extra information.⁶⁸

The Commissions agreed on a specific point which the Committee took up and turned into a recommendation. Public hearings would be more useful if they took place after written representations had been received, rather than during the initial consultation period. The Committee recommended the Boundary Commissions continue to be required to hold public hearings on their recommendations before reporting to the Secretary of State, but these hearings should not be required to take place during the initial consultation period.⁶⁹

In the Government’s response to the Committee in 2016, it said it had no plans to legislate to change boundary reviews before the then next scheduled review (2018 Review). The Government’s view at the time was the process had been effective:

The evidence suggests that the consultation process for the unfinished 2013 boundary review worked well and that the Boundary Commissions listened to practical concerns raised about proposed constituencies and took them into account in their recommendations. For example, in England, the Boundary

⁶⁷ Political and Constitutional Reform Committee, [Parliamentary Voting System and Constituencies Bill](#), HC 437 [incorporating HC 396-i-iii], paragraph 115

⁶⁸ Political and Constitution Committee, [What next on the redrawing of parliamentary constituency boundaries?](#), Eighth Report, HC 600 2014-15, p26

⁶⁹ Ibid, p27

Commission for England received some 49,500 written and oral representations in relation to the proposed constituencies in the Commission's initial proposals which resulted in 60% of the proposed constituencies being changed materially in the Commission's subsequent revised proposals.⁷⁰

4.5 Electoral 'bias'

The Boundary Commissions are impartial, and they pay no attention to patterns of voting in any elections. Party representatives and MPs can make submissions to the Boundary Commissions as part of the public consultation process, but their submissions are not given any more weight than those of members of the public.

Therefore, accusations of 'gerrymandering' by the Commissions are unfounded. Gerrymandering is when electoral districts are created in such a way as to give a political advantage to the party in power. This can give rise to odd shaped districts to incorporate supporters and exclude opponents. It is relatively common in the USA, where redistricting is almost entirely in the hands of whichever party controls the state senate.⁷¹ The term originates in the USA:

The word perpetuates the memory of Governor Gerry of Massachusetts, who resorted to this stratagem in 1812, and is formed by coupling his name with the latter half of the word 'salamander'. The story runs that while a group of politicians were studying an electoral map one of them, commenting on the unusual shape of one of the constituencies, remarked, 'It looks like a salamander,' whereupon another rejoined, 'You mean a gerrymander!'⁷²

However, the recommendations of the Commissions will inevitably have some effect on the potential re-election of sitting MPs. After each review there is speculation about how much the review has favoured one party or another.

A known outcome of the first-past-the-post (FPTP) electoral system is the disproportionality between vote share and share of the seats won in an election, which usually favours the larger parties. However, since the 1970s commentators have noted electoral bias within the system. This is where the parties are not treated equally in the translation of votes into seats.

An article in Parliamentary Affairs in 2010 examined the relationship between electoral bias and boundary reviews:

⁷⁰ [Government Response to the Political and Constitutional Reform Committee's Eighth Report of Session 2014-15 What next on the redrawing of parliamentary constituency boundaries?](#), Cm 9203, February 2016, p9

⁷¹ See for example, New York Times, [What Is Gerrymandering? And Why Did the Supreme Court Rule on It?](#), 27 June 2019

⁷² Wilding and Laundry, An Encyclopaedia of Parliament, 1958

Bias occurs when the parties are treated unequally in the process of allocating seats: if one party would get a larger share of the seats with a given share of the votes than would another party with the same vote share.⁷³

Suggestions of electoral bias before 2015

The British Academy briefing on the Parliamentary Voting System and Constituencies Bill, based on work by expert academics in electoral systems, explains how the bias in the system operated by modelling what the election results would have been if both main parties had gained equal shares:

The nature of such bias was readily identified by asking whether the two largest parties – Labour and the Conservatives – would have obtained the same share of the seats if they had obtained equal shares of the votes cast.

...

In such ‘notional elections’ Labour would have had 85 more seats than the Conservatives in 1997, 142 more in 2001, and 111 in 2005.⁷⁴

The bias in the system was not solely as a result of the distribution or redistribution of seats. The Hansard Society pointed out the difficulty in eradicating electoral bias in written evidence to the Political and Constitutional Reform Committee’s earlier inquiry into Government’s proposals for voting and parliamentary reform. It noted that other factors influence electoral bias, not just boundaries reviews:

Electoral bias is not static – while there is currently bias in favour of the Labour Party, previously there was bias in favour of the Conservative Party. Furthermore, research has demonstrated that electoral bias is also the product of several factors above and beyond the unequal size of constituencies, namely differential turnout levels, geographical distribution of support and increased multi-party competition. The Government’s proposals will therefore not eradicate the current bias entirely.⁷⁵

The Initial Review, in the 1940s, the Boundary Commission for England followed a policy of creating urban seats with a larger electorate than rural seats because urban seats:

⁷³ Galina Borisyuk, Colin Rallings, Michael Thrasher, Ron Johnston, Parliamentary Constituency Boundary Reviews and Electoral Bias: How Important Are Variations in Constituency Size?, Parliamentary Affairs, Volume 63, Issue 1, January 2010, Pages 4–21

⁷⁴ British Academy, [Drawing a New Constituency Map for the United Kingdom the Parliamentary Voting System and Constituencies Bill 2010](#)

⁷⁵ Political and Constitutional Reform Committee, [Government proposals for voting and parliamentary reform - written evidence](#), HC 396, 9 September 2011

could conveniently support electorates in excess of the electoral quota, and would in the majority of cases prefer to do so rather than suffer severance of local unity for parliamentary purposes.⁷⁶

The policy gave a bias to the Conservatives in the 1950s. The Boundary Commission for England abandoned the policy after the First Review. Over time that advantage started to swing the other way.

In an article in 2009, Johnston et al also noted that reforming the Rules of Redistribution would not, on its own, alter the biases resulting from uneven sized constituencies, noting that a “substantial body of research has shown that although this is a contributor to the biases”, that differing turnout levels and the efficient spread of support was more important.⁷⁷

The predominant factors were the different average size of constituencies in each country and the differential turnouts between urban and more rural seats across Great Britain.

In written evidence to the Political and Constitutional Reform Select Committee’s inquiry in 2014-15, Professor Johnston explained how the Rules of Redistribution had gradually favoured the Labour Party.

The electoral quotas in Scotland, Wales and England were different before 2005. The over-representation on Scotland and Wales meant their quotas and therefore average constituency size (electorate) were smaller than England. Both countries were regarded as much better electoral territory for Labour than for the Conservatives.

In England, as Johnston explains, there was a tendency for Labour to do better in constituencies with smaller electorates:

Many inner-city areas – where Labour is generally the stronger of the two parties – tend to lose electors between redistributions whereas suburban and rural areas tend to grow, making Conservative-held seats on average larger with time.⁷⁸

The process had been growing from some time. The electorate in England had grown more quickly than in Scotland and Wales since the Rules of Redistribution were introduced and more recent reviews had taken longer than the earlier ones.

He also points out that turnout tends to be lower in the urban seats that return Labour MPs than the more suburban and rural areas that tend to return Conservative MPs. The combination of these factors meant that

⁷⁶ Boundary Commission for England Constituted in accordance with the House of Commons (Redistribution of Seat) Act 1944 Initial Report, Cmd 7260, October 1947

⁷⁷ Ron Johnston, Iain Mclean, Charles Patties and David Rossiter, Can the Boundary Commissions Help the Conservative Party? Constituency Size and Electoral Bias in the United Kingdom, *The Political Quarterly*, Vol. 80, No. 4, October-December 2009

⁷⁸ [Ron Johnston - written evidence](#) RPB0001, Ordered to be published 13 Oct 2014

Labour-leaning areas had fewer electors per constituency so that fewer votes were needed to win seats there than in Conservative-leaning areas.

In the 2014 evidence to the Committee, Professor Johnston wrote:

If the 2015 general election was to be fought in 600 new constituencies, therefore, the ‘unfairness’ that currently advantages Labour might have been substantially reduced: as it is, because the Sixth Review was aborted, the allocation of seats relative to votes then could well favour Labour by 50-60 seats again in the existing 650.⁷⁹

Suggestions of Electoral bias since 2015

An article published by Democratic Audit, in January 2020, indicated that differential constituency size has given the Labour Party a modest advantage of about 18 seats since the 2010 General Election but that other factors had wiped that out.

Changes in third party vote distribution and the better ‘efficiency’ of the Conservative vote has led to an overall bias in favour of the Conservatives. Although not to the same extent as the advantage experienced by Labour in the 2001 and 2005 elections.

Professors Johnston and Pattie, writing about the 2015 General Election noted that the differing electorates of constituencies across Great Britain and population drift from urban to more suburban seats continued to favour the Labour Party, worth an extra 17 seats for Labour compared to the Conservatives. The tendency of lower turnout in Labour seats compared to Conservative seats favoured the Labour Party to the tune of about 24 seats.

The effect of third parties at the 2015 election was significant in wiping out Labour’s advantage. As Johnston and Pattie explain:

The key issue here is where third parties tend to do well – and how well they do. If third parties tend to do better in seats where one of the big two parties does better than the other, this will affect the Conservative-Labour bias. If third parties do quite well in a seat, but not well enough to defeat the incumbent party, the latter gets an advantage, as this in effect reduces the number of votes needed to win there. But if a third party wins a seat, this creates a bias against the major party which would otherwise expect to take the seat, as all its votes there are wasted.⁸⁰

The effect of third-party votes was almost neutral in 2015, especially with UKIP votes, which were evenly spread across both Labour and Conservative seats. Third party wins, however, favoured the Conservative Party with combination

⁷⁹ Ibid

⁸⁰ Charles Pattie and Ron Johnston, [Electoral bias in the UK after the 2015 General Election](#), LSE blog, June 2015

of the Liberal Democrat collapse and the SNP advance wiping out a large number of Labour seats.

An analysis of the biases in more recent elections, shows that the swing towards the Conservative Party has meant the Conservative vote has been more efficient.

This comes from Tory votes being located in the right places across the country, so minimising ‘wasted surplus’ votes from piling up huge majorities in safe constituencies, and also minimising ‘redundant votes’, in seats where the party does not win. There was a big bias in Labour’s favour in 2005.⁸¹

The Conservatives won seats in areas with declining electorate, that used to be Labour leaning, in areas such as the so-called red wall.⁸² The analysis concluded that:

The pro-Tory efficiency bias stood at 27 in 2017 and 46 seats in 2019. During the ‘New Labour’ era in 2001 and 2005, Labour made the most of local incumbency advantages and the party ruthlessly targeted and held onto marginal seats.

Johnson and Pattie’s analysis in 2015 concluded that:

Bias was not abolished (in truth, the 2011 Act was very unlikely to achieve this, as it tackled only one – relatively minor – source of that bias). But it did change dramatically. And it changed for political, not demographic, reasons.⁸³

⁸¹ Tim Smith, Democratic Audit, [Why did the Conservatives’ large lead in vote shares produce only an 80-seat majority?](#), 22 January 2020

⁸² Ibid

⁸³ Charles Pattie and Ron Johnston, [Electoral bias in the UK after the 2015 General Election](#), LSE blog, June 2015

5

Reviews under the 2011 Rules

The 2011 Rules of Redistribution meant to reduce the House of Commons to 600 seats were used in two reviews. Neither was implemented.

The 2013 Review was abandoned before its completion and the Commissions did not reach the stage of making final recommendations. The 2018 Review was completed but the required Order in Council to implement the new boundaries was not laid.

In March 2020 the Government announced that intended to introduce legislation to alter the Rules of Redistribution to retain 650 seats in the House of Commons. The [Parliamentary Constituencies Act 2020](#) was passed in December 2020. It cancelled the need to implement the 2018 Review and required the Commissions to start a new review based on 650 seats, the 2023 review.

5.1

2013 Review

This was the Sixth Periodical Review of Parliamentary constituency boundaries, generally known as the 2013 Review. It was the first review started under the new Rules of Redistribution inserted by the 2011 Act.

The four Parliamentary Boundary Commissions announced the commencement of the 2013 Review on 4 March 2011.

The electoral quota for the whole of the UK was 76,641 registered voters. This gave a 5% tolerance of seats with electorates no smaller than 72,810 and no larger than 80,473. This was subject to the exceptions for the island seats and the greater leeway for the Boundary Commission for Northern Ireland. These calculations were based on the Parliamentary electorate at 1 December 2010.

The calculations would have given England 502 seats (down 31), Scotland 52 seats (down 7), Wales 30 seats (down 10) and Northern Ireland 16 seats (down 2).

Three of the four Commission published their initial proposals in the autumn of 2011. Wales published theirs in January 2012. Revised proposals were published in October 2012, except in Scotland, where they were published in September 2012.

On 6 August 2012, the then Deputy Prime Minister, Nick Clegg, announced that plans to reform the House Lords were to be dropped by the Coalition Government. In response to that he also said that the Liberal Democrats

would not vote to approve the Order implementing the recommendations of the Boundary Commissions if and when they were brought forward. The Deputy Prime Minister said that, in his view, the two reforms should progress together:

I reasonably believe that the constitutional reform package was exactly that—a package—and since this is the first time that either of the coalition parties has been unable to deliver on a major coalition agreement commitment, it is therefore right to rebalance things and not to proceed with an unbalanced package.⁸⁴

In the absence of any change to the law the Commission had to continue with their work. In response to questions about the continuation of the boundary review the Deputy Prime Minister went on to say

As I have explained, the primary legislation is as it is, and no one is proposing that we repeal it. My own view—I have made this perfectly public—is that it would be better not to complete the outstanding stages of the Boundary Commission investigations.⁸⁵

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 because changing the deadline for reports had the consequential effect of changing the review date. It meant that the electoral data and local government boundaries that the Commissions should have regard to would be that of December 2015.

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.

The original budget for the reviews was £11.9 million. The Boundary Commissions had spent around £7 million by the time the review was halted.⁸⁶

5.2

2018 Review

The four Parliamentary Boundary Commissions announced the commencement of the 2018 Review on 24 February 2016.

The electoral quota for the whole of the UK was 74,769. This means constituencies were required to have electorates between 71,031 and 78,507, based on the December 2015 data used for the review.

⁸⁴ [HC Deb 3 September 2012 \[House of Lords Reform Bill\], c39](#)

⁸⁵ [Ibid., c43](#)

⁸⁶ [PQ 901197, \[Constituencies\], 21 November 2013](#)

The allocation of seats per country is shown in the table below, with comparative figures from the 2013 Review and the current number of seats.

House of Commons: number of seats			
	Current number of seats	2013 Review allocation	2018 Review allocation
England	533	502	501
Scotland	59	52	53
Wales	40	30	29
Northern Ireland	18	16	17
Total	650	600	600

Note: The 2013 Review was abandoned and the 2018 Review was completed but not implemented

Source: Boundary Commissions, various reports

Initial proposals were published in September and October of 2016. Revised proposals followed in October 2017 in England, Scotland and Wales. The Boundary Commission for Northern Ireland published their proposals in January 2018.

All four Commissions delivered their final recommendations, as required, to the Government in September 2018. The reports were laid and published on 10 September 2018.⁸⁷

No draft Order was laid by the Government. The cost of the 2018 Review was just over £7.1 million:⁸⁸

2018 Boundary review: Costs	
	£s
England	4,846,000
Scotland	661,000
Wales	824,000
Northern Ireland	789,000
Total	7,120,000

Source: Figures provided to the House of Commons Library by each Commission

⁸⁷ See Library Insight, [The Boundary Review: September 2018 update](#) for more information

⁸⁸ Figures provided to the Library by each of the Commissions

Northern Ireland court case

The final recommendations of the Boundary Commission for Northern Ireland were subsequently quashed by the Appeal Court in Northern Ireland. Although by this stage the Government had already announced not to proceed with implementing the 2018 Review.

A High Court challenge had been launched by a Belfast resident over the use of Rule 7, the rule designed to give the Boundary Commission for Northern Ireland more flexibility on the application of the 5% tolerance from the quota. The applicant also argued that the Commission had not treated all consultation submissions equally.⁸⁹

The applicant had argued that the Commission had erred in law in its application of Rule 7 and failed to explain its reasons for invoking the Rule. The Commission's initial proposals concluded that the use of Rule 7 was not appropriate but in its revised recommendations the Commission had invoked Rule 7.

The court disagreed and said that the Commission had not erred in law in applying the Rule and had explained its reasons, albeit "in somewhat cryptic terms", to invoke the Rule as part of its revised proposals. However, the Court did conclude that the Commission had acted wrongfully and unlawfully in not treating consultation submissions after the revised proposals had been published in the same way as those in the earlier consultation.⁹⁰

The judge provisionally ruled that the final report from the 2018 Review should stand, but that a declaration should be included on the final draft Order in Council presented to Parliament. The decision to pass the Order would remain with Parliament. However, after further discussions with interested parties the judge decided no declaration was required and the report stood.⁹¹

The applicant in the original action then sought a judicial review to appeal the decision on the interpretation of Rule 7 and reasons given for it, and on the failure to quash the final report of the Commission. The Commission counter-appealed the decision that it had acted unlawfully in respect of consultation responses.

The Appeal Court heard arguments in January 2020. The judgement was delivered in June 2020. Before the judgment was delivered the Government announced it was minded to abandon the 2018 Review and fix the House of Commons at 650 seats, requiring a new review. The Boundary Commission argued that the appeal was now academic. However, the Court ruled that important legal questions needed resolving and, in any event, there was no guarantee that legislation would be brought forward.

⁸⁹ [Belfast Resident seeking leave of the High Court to challenge controversial Boundary Commission Proposals](#), January 2019

⁹⁰ High Court of Justice Northern Ireland, [\[2019\] NIQB 74](#)

⁹¹ Boundary Commission for Northern Ireland, [Annual Report 2019-20](#), Section 4.2

The Appeal Court ruled in favour of the applicant and concluded that the Boundary Commission had acted unlawfully in relation to Rule 7 and that the report of the final recommendations of the Commission should be quashed and “sent back to the Commission for reconsideration”.⁹²

5.3 Reactions to the 2011 Act

As already noted, the Political and Constitutional Reform Select Committee examined boundary reviews in 2014-15 in the light of the 2011 changes. The inquiry, ‘[What next on the redrawing of Parliamentary boundaries?](#)’, heard evidence from academics, the Boundary Commissions, the Government and others. The report was published in March 2015.

The Committee called on the Government to “make a statement no later than June 2015 on its policy on the rules for the distribution of parliamentary constituencies. This statement should respond to the recommendations we have set out in this report”. Briefly, the Committee’s main recommendations were:

- The allowable variance for the electorate of each constituency from the UK electoral quota should be increased to +/- 10%;
- If the +/- 5% rule is not relaxed, the Boundary Commissions should be required to propose constituencies with an electorate within +/- 5% of the electoral quota for the part of the UK for which that Commission is responsible, rather than the overall UK electoral quota;
- The Committee found no compelling reason for reducing the number of MPs and recommended that legislation should be introduced to reverse the reduction in the number of MPs provided for by the Parliamentary Voting System and Constituencies Act 2011;
- Research should be commissioned into how population data could be used as the basis for reviewing parliamentary constituency boundaries.⁹³

The Coalition Government did not respond to the Committee’s report before the 2015 General Election. The Conservative Government responded to the Committee’s report on 11 February 2016, saying that “the Government has no plans at this time to introduce legislation to make major changes to the boundary review framework which was set up in the last Parliament.”⁹⁴

⁹² Court of Appeal in Northern Ireland, [\[2020\] NICA 32](#), 4 June 2020

⁹³ [What next on the redrawing of parliamentary constituency boundaries?](#) Political and Constitutional Reform Committee report, 15 March 2015, HC 600 2014-15

⁹⁴ [HCWS526, 11 February 2016](#)

Disruption

The Committee heard evidence from witnesses that the 2013 Review had seen unprecedented disruption to the pattern of existing seats. This had generally been expected and the Committee cited Boundary Commission documents that the new Rules of Redistribution would inevitably lead to significant change. The Boundary Commission for England explained the potential problems of balancing the 5% rule with the other considerations, such as existing constituency boundaries and local ties in their guidance for the 2013 Review:

One of the effects of reducing the overall number of constituencies allocated to England, together with the requirement of the statutory electorate range, is that many of the existing constituencies that have an electorate that is within the statutory range will, nonetheless, need to be altered as a result of the need to create viable constituencies in the surrounding area.⁹⁵

The Committee also quote assistant commissioners' reports on the initial proposals of the 2013 Review referring instances to having to recommend the "least worst" option.

The Committee highlighted the extent of changes in the initial proposals of the Commissions:

These changed the vast majority of parliamentary constituencies—only 77 of the 533 existing English constituencies were unchanged, three of the 52 existing Scottish constituencies were unchanged (including two that were preserved by the 2011 Act), none of the existing Welsh constituencies were unchanged, although 15 of the proposed constituencies wholly contained one of the existing constituencies, and nine of the 18 existing Northern Ireland constituencies were largely unchanged.⁹⁶

The Committee heard evidence from the Chair of the McDougall Trust that:

Other standing requirements, such as respect for natural communities and continuity with previous constituencies, appeared badly threatened by the lower priority they were now given.⁹⁷

The 5% Rule

The Political and Constitutional Reform Select Committee heard evidence from Professor Johnston et al that the 5% rule was the most disruptive element to the ability of the Boundary Commissions to respect local ties and existing seat boundaries. They had conducted research, published in 2014 and

⁹⁵ Boundary Commission for England, [A guide to the 2013 Review](#), p9

⁹⁶ [What next on the redrawing of parliamentary constituency boundaries?](#) Political and Constitutional Reform Committee report, 15 March 2015, HC 600 2014-15, p10

⁹⁷ Ibid, p12

often referred to by other witnesses at the Committee's inquiry, that found that similar levels of disruption would occur even if the Rules of Redistribution had required the House of Commons to be 650 seats. They conclude that:

If the equality constraint was relaxed somewhat – from +/- 5% to +/- 8% – then there would be much less disruption and that if it was relaxed even further – to +/- 10% – major problems would arise in a very small number of places only.⁹⁸

Splitting wards

While not a legal requirement (except for in Northern Ireland until 2011), it had been a longstanding practice of the Boundary Commissions not to split wards. Since 2007, the Boundary Commission for Scotland has frequently split wards following the reorganisation of local government in Scotland into larger multi-member wards.

The Commission for England continued the practice of not splitting wards in the 2013 Review. The Commissions for Northern Ireland and Wales were more willing to depart from it.

In their research, Johnston et al were critical of the decision of the English Commission not to split wards. They concluded that splitting even a small number of wards would significantly reduce the level of disruption and crossing of local government boundaries, but they did note that there are some issues as well:

- there was no mapping data available below ward level;
- splitting wards would give the Boundary Commissions (and those responding to their proposals) a much wider range of options to choose from. This could complicate the review process;
- some see wards as areas representing communities (but others see them as purely administrative units).⁹⁹

The Boundary Commission for England told the Committee, in its view wards represent broad communities of interest and are generally well recognised and command local support. It also noted practical considerations if it were to employ more ward splitting included far more options for formulating options at the start of a review that would be resource intensive. This would also have knock-on effects to the review process for others:

⁹⁸ Ron Johnston, David Rossiter and Charles Pattie, *Equality, Community and Continuity: reviewing the UK Rules for constituency Redistributions*, McDougall Trust, July 2014

⁹⁹ Ron Johnston, David Rossiter and Charles Pattie, *Equality, Community and Continuity: reviewing the UK Rules for constituency Redistributions*, McDougall Trust, July 2014, p25

Splitting of wards in that Review was an extremely resource-intensive process, which further underpinned the long-standing policy position of the BCE that it should only split wards in exceptional and compelling circumstances. Members of the public seeking to make representations involving proposals for wards to be split were likewise greatly hampered by the absence of digitised mapping data below the level of wards. The BCE's view is that an important element of any move towards further splitting of wards should be the availability of that information not only to the BCE, but also to those wishing to make representations.¹⁰⁰

Political analyst Lewis Baston, in his evidence to the Committee, also noted the potential consequences of wide-spread ward splitting could shift the balance of the public consultation in favour of political parties:

wholesale splitting of wards would enable the party or interest with the most sophisticated software and the best data to reverse the traditional purpose of elections – instead of voters choosing their politicians, the politicians would choose their voters.¹⁰¹

The Boundary Commission for England indicated at the start of the 2018 Review that it did not rule out splitting wards and had collected mapping data for polling stations.¹⁰²

Its guidance for the 2018 Review said that strong evidence would be needed in any constituency scheme that proposed to split a ward, and the number of such ward splits should be kept to an absolute minimum.¹⁰³

In the final recommendations of the 2018 Review the Boundary Commission for England ended up splitting about a dozen wards.

During the Public Bill Committee stage of the Parliamentary Constituencies Bill 2019-21 the Committee took evidence. The Boundary Commission for England was questioned on further ward splitting and using polling districts as the basis for constructing English constituencies.

No national data set is available and often there is no standard mapping data. Polling districts are non-statutory administrative units and there is no requirement to report new units when created, for example to the ONS or the Boundary Commissions.

The Secretary to the English Commission told the Committee that the polling district data collected for the 2018 Review had been resource and time intensive and very quickly became out of date. The Scottish Commission told the Committee that it had constructed its own data set of postcodes. The

¹⁰⁰ Boundary Commission for England, [written evidence RPB0013](#). Ordered to be published 13 Oct 2014

¹⁰¹ Lewis Baston, [written evidence RPB0014](#). Ordered to be published 13 Oct 2014

¹⁰² '50 fewer MPs: Challenges for the boundary review', [The Constitution Unit blog](#), 3 November 2015

¹⁰³ Boundary Commission for England, [Guide to the 2018 Review of Parliamentary constituencies](#), July 2016, p8

English Commission also noted that as no standard national data set was available it was not possible to manipulate the software used easily with polling districts as the building blocks of constituencies. Any proposals that included a split ward based on polling district data had to be manually calculated.

5.4

Attempts to amend the Rules 2011-20

The [Parliamentary Constituencies \(Amendment\) Bill 2017-19](#) was a Private Member's Bill, sponsored by Afzal Khan MP (Labour). The Bill was given a Second Reading on [Friday 1 December 2017](#) but made no further substantive progress. A similar Bill was introduced in by former Labour MP Pat Glass. She had drawn fourth place in the Private Members' Bill Ballot in 2016-17. Her Bill also made no progress beyond Second Reading.¹⁰⁴

Both Bills had similar aims. They argued that the number of seats in the House should be maintained at 650 and that reviews should be every ten years.

They also argued that the allowable variation from the electoral quota should be wider. Pat Glass's Bill argued for a plus or minus 10% variance and Afzal Khan's argued for 7.5%.

These, they argued, would minimise the disruption to local ties and the current pattern of seats with contributors to both debates drawing on the work of Johnston et al.

Both Bills also argued that that the data used for the ongoing 2018 Review should be updated to ensure the review was done on a fuller set of electoral registers than those of December 2015. Doing so would have effectively required the Boundary Commissions to start their work again from the beginning.

During the Second Reading of both Bills, Members raised concerns about the primacy of the 5% rule over other considerations. The 2018 Review was ongoing at the time of both debates and Members pointed to recommendations by the Boundary Commissions that split communities and crossed county and local authority boundaries.

Some Members argued that the primacy of the 5% rule was impacting on the ability of the Commissions to create constituencies that respected communities and local ties in their local area.

¹⁰⁴ [Parliamentary Constituencies \(Amendment\) Bill 2016-17. The Second Reading debate took place on 18 November 2016](#)

6 2020 changes

In March 2020 the Government announced its intention to retain 650 seats in the House of Commons. In a written statement it explained its change of policy was based on the increased demands on the Westminster Parliament following the UK's exit from the European Union:

This is a change in policy from the position previously legislated for under the Coalition Government. Since that policy was established in the Coalition Agreement, the United Kingdom has now left the European Union. The UK Parliament will have a greater workload now we are taking back control and regaining our political and economic independence. It is therefore sensible for the number of parliamentary constituencies to remain at 650.

The Government reiterated its commitment to the primacy of more equal constituencies and noted that the current constituencies are based on data that is nearly 20 years old, saying:

The last boundary review to be implemented in England was based on data from 2000; the last to be implemented in Scotland, Wales and Northern Ireland used data from 2001-2003. In effect, our current constituencies reflect how the UK population was at the beginning of the century. Today's youngest voters have been born since then: this disregards significant changes in demographics, house building and geographical migration.¹⁰⁵

A Bill was introduced on 19 May 2020.¹⁰⁶ The [Parliamentary Constituencies Act 2020](#) received Royal Assent on 14 December 2020. The Act amended the 1986 Act to make several changes. The key changes were:

- The number of MPs was fixed at 650;
- The 2018 Review, which would have reduced the number of MPs to 600 was abandoned and Ministers were no longer be required to produce a draft Order in Council to implement the 2018 Review.
- The next review will have to be completed by the Boundary Commissions by 1 July 2023. It will be based on the number of registered electorates as of 2 March 2020;

¹⁰⁵ [HCWS183 \[Update: Strengthening Democracy\], 24 March 2020](#)

¹⁰⁶ Details on the stages of the Bill can be found on the Parliament website, [Parliamentary Constituencies Bill 2019-21](#)

- The next review after the 2023 Review will have to be completed by 1 October 2031; with subsequent reviews required to report by the 1 October every eight years thereafter.;
- Recommendations of the Boundary Commissions no longer require Parliamentary approval and government ministers will have no power to alter recommendations. The automatic implementation of the final recommendations, which became known as ‘automaticity’, was the most controversial aspect of the 2020 changes;
- The public consultation phase was amended to allow for public hearings in the secondary stage of consultation rather than in the initial stage. The time allowed for public consultations from 2031 will remain the same overall (24 weeks) but will be split into three eight-week periods. The consultation stages of the 2023 Review will have a shorter duration as a result of the shorter time available for the 2023 Review;
- The Boundary Commissions will be given more flexibility to use local government and ward boundaries that have yet to come into force.¹⁰⁷

The eight year cycle was generally accepted by those the Government consulted.¹⁰⁸

The main Opposition parties voiced concerns at elements of the Bill. The key objections to the Bill, as introduced, were:

- the removal of Parliament’s role in having a final say by voting implementing the Commissions’ recommendations;
- the possible impact of the coronavirus pandemic on the electoral data to be used for the 2023 Review;
- the interaction between the 5% rule and local ties;
- the possible impact on the Union of the reduction in seats in Scotland and Wales.

Following the Second Reading debate,¹⁰⁹ the Government issued a [written ministerial statement](#). This addressed the concerns about the quality of the data of the 2023 Review if it was to be based on the electoral registers of the 1 December 2020.

¹⁰⁷ [Commons Library Research Briefing CBP-8921, The Parliamentary Constituencies Bill 2019-21](#)

¹⁰⁸ [PQ HL7937 \[Constituencies\], 22 September 2020.](#)

¹⁰⁹ [HC Deb 2 June 2020, c761-813](#)

The written statement said that the Government would allow more time for EROs to conduct the 2020 annual canvass in Great Britain to ensure that the coronavirus pandemic did not impact on the completeness or accuracy of electoral registers. The Northern Ireland decennial canvass had already been postponed to 2021 by the Coronavirus Act 2020, as a result of the coronavirus pandemic.¹¹⁰

As a result, the Government introduced an amendment during the committee stages of the Bill to require the 2023 Review to be based on the electoral registers as they stood at 2 March 2020.¹¹¹

This had the advantage of including overseas voters who had registered to vote in the December 2019 General Election. Overseas voters must renew their registration annually. As they cannot vote in local elections the number of registered voters tends to fall away after a general election, with many only re-registering when another general election becomes imminent.¹¹²

The Government also agreed a backbench amendment to add Ynys Môn to the list of protected island constituencies.¹¹³

At Report Stage, Opposition members brought forward proposed new clauses in an attempt to widen the 5% tolerance to 7.5% and to guarantee a minimum number of seats for Scotland, Wales and Northern Ireland. These mirrored arguments made in relation to the 2011 changes on local ties and disruption to existing constituencies, noted in Section 5.3. These were rejected by the Commons.¹¹⁴

An amendment was also tabled to retain Parliamentary approval on the outcome of a review. During the Second Reading of the Bill, Opposition parties claimed the removal of Parliamentary oversight was a ‘power grab’ by the Executive and would be dangerous for democracy. The Government said the proposal was to ensure the recommendations of a boundary review will be implemented without political interference:

These changes are designed to provide certainty that the recommendations of the independent Boundary Commissions - developed through a robust and impartial process that is open to extensive consultation - will be implemented ‘automatically’ without the possibility of political interference. Parliament, of course, remains sovereign and can amend the primary legislation providing the parameters for these reviews as it sees fit.¹¹⁵

Academics experts argued that automatic implementation works well in other Westminster-style countries and “allowing politicians any role at this crucial

¹¹⁰ Library briefing, [Coronavirus Act: Elections](#)

¹¹¹ [HCWS278 \[Update on Annual Canvass\], 9 June 2020](#)

¹¹² See Library briefing, [Overseas voters](#), for more information.

¹¹³ [Public Bill Committee 30 June 2020, c250](#)

¹¹⁴ [HC Deb 14 July 2020, c1419-84](#)

¹¹⁵ [Explanatory notes to the Parliamentary Constituencies Bill 2019-21](#)

stage runs counter to basic democratic principle.”¹¹⁶ However, they do add a note of caution. They noted that the apolitical nature of the appointment of Commissioners is not in question, the independence of the Commissions has rarely been questioned in the UK and that the UK process is among the best in the world for redistricting. In their view tighter safeguards in the appointment of Commissioners would Strengthen the independence of the Commissions.

The Bill had its [Second Reading](#) in the House of Lords on 27 July 2020.

The House of the Lords amended the Bill on its [Report Stage](#). Only one change had Government support. This was to require the Government to submit a draft Order in Council, implementing the recommendations of the Commission, within a certain time. It must be no later than four months after the reports of the Commissions have all been laid before Parliament unless there are exceptional circumstances. If the deadline is not met the government must publish regular statements until it is.

Other changes made to the Bill, but which were opposed by the Government, were to hold reviews every ten years instead of eight; to widen the 5% tolerance to 7.5%; a new clause to alter the way Commissioners are appointed to safeguard their independence, and a new clause to require the Secretary of State to lay before Parliament “proposals for improving the completeness of electoral registers for the purposes of boundary reviews”. These were overturned by the House of Commons.

¹¹⁶ Ibid

7

Periodical reviews 1945-2010

Summary

The regular reviews of Parliamentary constituencies have their origins in the House of Commons (Redistribution of Seats) Act 1944. Four permanent Boundary Commissions were established and required to periodically review the boundaries of Parliamentary constituencies.

The Boundary Commission for England was instructed to conduct a Special Review to divide 20 constituencies with the largest electorates (in excess of 100,000 voters). It meant that the 1945 General Election had an additional 25 seats, with a total of 640.

The four Boundary Commissions then conducted their Initial Reviews, which led to a decrease in seats at the 1950 General Election to 625.

At the implementation of each review the number of seats in the House of Commons grew, with the exception of the Fifth Review.

First Review – implemented at the 1955 election – 630 seats

Second Review – implemented at the February 1974 election – 635 seats

Third Review – implemented at the 1983 election – 650 seats

Fourth Review – implemented at the 1997 election – 659 seats

The Fifth Review followed the re-creation of the Scottish Parliament, which led to a reduction in the number of Scottish seats in Westminster. It was also the first review to be implemented at different times in different parts of the UK. The number of Scottish seats was reduced from 72 to 59 from the 2005 election. When the Fifth Review was implemented in the rest of the UK, in 2010, the number of seats was 650.

7.1

Formulation of the original Rules

The permanent process of reviewing constituency boundaries and the size of constituencies was established in the 1940s. Before the establishment of the permanent process of boundary reviews redistribution of seats occurred on an ad hoc basis.

In January 1942 a committee was appointed to inquire into various electoral matters. This committee was chaired by the Registrar General, Sir Sylvanus Vivian. In its report, published in December 1942, the committee reiterated that the equal representative status of MPs and the territorial nature of representation were essential features of the British electoral system.

The Committee recommended that there should be three permanent statutory Boundary Commissions, one for England and Wales, one for Scotland and one for Northern Ireland. The Commissions should be answerable to Parliament via the Speaker of the House of Commons to ensure Party allegiances would not affect decisions on redistribution. The committee also recommended that the commissions should carry out a general review of constituencies once in the lifetime of every full-term Parliament.¹¹⁷

On whether to use population or registered electorate the Committee noted:

The choice obviously lies between total population and qualified electorate. With the present extensive Parliamentary franchise...the two criteria produce virtually identical results except in the case of regions containing an abnormal proportion of persons under adult age.¹¹⁸

Speaker's Conference

The Speaker's Conference of 1944, established to consider a variety of electoral matter, was asked to consider the question of detailed rules for the Boundary Commissions to redistribute parliamentary constituencies.

It subsequently agreed that there should be four permanent Commissions (one for each of the four constituent parts of the UK).

These Commissions would carry out reviews at intervals of not less than three and not more than seven years and the reviews should be based on registered electorate.¹¹⁹

The Conference had also recommended that redistribution should be on the basis of an electoral quota for Great Britain calculated from the qualified

¹¹⁷ Report of the Committee on Electoral Machinery, Cmd 6408, 1942

¹¹⁸ Ibid, p18

¹¹⁹ Conference on electoral reform and redistribution of seats. Letter from Mr. Speaker to the prime minister, Cmd 6534, 24 May 1944

electorate and with 25% tolerance on either side; local and Parliamentary boundaries would coincide ‘where convenient’ and the Commissioners were to be permitted to depart from the strict application of the rules if they felt that this was desirable because of special geographical considerations such as area, shape and accessibility of a constituency.

Reviews were to be implemented by draft Orders in Council approved by Parliament. However, the Conference recommended that exceptionally, the first full general review should be implemented by an Act of Parliament and not by Orders in Council.

The 1944 Act

The House of Commons (Redistribution of Seats) Act 1944 established the new Commissions on a permanent statutory basis. The legislation included the Rules of Redistribution that the Commissions had to follow when undertaking their work.

The main features of the Rules of Redistribution were:

- The number of seats for each part of the UK were expressed as follows:
 - Great Britain - Not substantially greater or less than 591
 - Scotland – Not less than 71
 - Wales – Not less than 35
 - Northern Ireland – 12
- So far as was practical:
 - Constituencies should not cross county boundaries
 - Local government boroughs and districts should not be split between seats
- The electorate of any constituency in Great Britain should as far practical be within a 25 per cent tolerance of the electoral quota. There was a separate quota for Northern Ireland;
- Commissions were allowed to depart from the strict application of the Rules if “special geographical considerations, including in particular the size, shape and accessibility of a constituency, appear to them to render a departure desirable.”

The Rules formalised the over-representation of Scotland and Wales.

The 1944 Act allocated primacy to the achievement of equal constituencies over the principle of respect for local government boundaries. The bulk of the debate in Parliament was on representation for the universities and for the City of London, which were both exempt from the redistribution provisions.

7.2

Special Review of 1944

The 1944 Act instructed the Boundary Commission for England to conduct a Special Review before embarking on the Initial Periodical Review.

These were to divide the “abnormally large” constituencies that had grown since the 1917-18 review and now had registered electorates of over 100,000. There were 20 abnormally large constituencies listed in the schedule to the Act.¹²⁰

There was a net gain of 25 seats with some new seats and alterations to neighbouring seats. The new constituencies were implemented by Order in Council in 1945, with the House of Commons approving the draft order on 31 May 1945.¹²¹ The House of Lords passed the Order on 4 June 1945.¹²²

These boundaries were used in the 1945 General Election giving England 517 of the 640 seats in Westminster.

7.3

Initial Review

The 1944 Rules were amended in 1947 by the House of Commons (Redistribution of Seats) Act 1947. The Initial Review had already started when the English and Welsh Boundary Commissions made informal representations to the Home Secretary for the relaxation the strict formula to have electorates within 25% of the quota.

The Boundary Commission for England noted in its final report:

We found that it was not practicable to give effect to this rule...without disturbing the unity of local government areas, and in a number of instances, e.g. where the electorate of a borough was too large for a single member but too small to justify two members, we found it necessary to detach part of the borough and add it to an adjoining area.¹²³

The Home Secretary, James Ede, therefore introduced a Bill to achieve this which became the 1947 Act. He explained the reasoning and the impact of the provisions of the Bill during the Second Reading debate:

Now I found—and I have their permission to say it—that the Commissioners had felt themselves gravely handicapped by the

¹²⁰ The House of Commons (Redistribution of Seats) Act 1944 (8 & 9 Geo 6 chapter 41)

¹²¹ [HC Deb 31 May 1945 \[House Of Commons \(Redistribution Of Seats\)\]](#)

¹²² [HL Deb 4 June 1945 \[House Of Commons \(Redistribution Of Seats\) Order, 1945\]](#)

¹²³ Boundary Commission for England, Boundary Commission for England Constituted in accordance with the House of Commons (Redistribution of Seat) Act 1944 Initial Report, Cmd 7260, October 1947

strict mathematical formula within which their activities have been confined, and therefore the present Bill has been introduced in an effort to make the future representation of this House more in accordance with the historic precedent of representing communities than would have been possible under the Act of 1944.

He went on to explain that by omitting Rule 4, (requiring a 25% tolerance), and inserting new Rule 5A which said “The electorate of any constituency shall be as near the electoral quota as is practicable having regard to the foregoing rules”, after other considerations, that the quota become subordinate:

It will be seen that what we do is to omit Rule 4 which I have quoted and insert in its place a new rule, 5A, which, instead of governing Rule 5, will be governed to a very large extent by Rule 5. It enables the Commissioners, instead of having to have regard to a mathematical formula, to give consideration to the human circumstances of the constituencies with which they are dealing, while not creating excessive disparity.¹²⁴

The Act received Royal Assent after the Boundary Commissions had started their reviews and all had published initial proposals. It meant that the Commissions had to revisit their proposals in the light of the new rules.

The final recommendations of the Initial Review were handed to the Government in late 1947.¹²⁵ The recommendations formed the basis of the [Representation of the People Act 1948](#).¹²⁶ The Boundary Commission for England’s policy of creating larger urban seats than rural seats meant that urban areas were relatively under-represented and its recommendations for 489 seats, combined with 12 for Northern Ireland, 71 in Scotland and 36 in Wales would have led to a House of Commons with 608 seats excluding university representation. The 1948 Act abolished university seats and a separate seat for the City of London, which again took up much of the debate on the Bill.¹²⁷

The Boundary Commission for England drew the Government’s attention to the size of the largest proposed borough constituencies, representing over 80,000 electors and the possible under representation of urban areas. The Government considered the seats to be too large and asked the Commission to make new recommendations. It led to Government amendments being introduced to add 17 borough constituencies and to amend Rule 1, that the House of Commons should not be “substantially greater or less than 591”, to read 613 seats.¹²⁸

¹²⁴ [HC Deb 13 December 1945 \[House of Commons \(Redistribution of Seats\) Bill\], c1560-1](#)

¹²⁵ Boundary Commission for England Constituted in accordance with the House of Commons (Redistribution of Seat) Act 1944 Initial Report, Cmd 7260, October 1947

¹²⁶ Representation of the People Act 1948, (11 & 12 Geo 6, chapter 65)

¹²⁷ See the Second Reading debate on the Bill, [16 February 1948](#) and [17 February 1948](#)

¹²⁸ [HC Deb 24 March 1948](#)

These debates on the additional seats were often partisan, with the Conservatives accusing the Labour Government of gerrymandering to create the new seats.¹²⁹

In the end the House of Commons had 625 seats at the first election used after the initial Review, the 1950 General Election.

7.4 The House of Commons (Redistribution of Seats) Act 1949

This was a consolidation Bill that repealed the 1944 and 1947 Acts and brought together the provisions on redistribution in one statute. There was no substantive debate in the either House.

Following the amendment to the number of seats in 1948 the Rules stated the number of seats as follows:

- Great Britain - Not substantially greater or less than 613
- Scotland – Not less than 71
- Wales – Not less than 35
- Northern Ireland – 12

7.5 First Periodical Review 1954

A further general review, the First Review, was due between three and seven years after the Act implementing the Initial Review, not earlier than 1951 or later than 1955. Subsequent reviews were to be dated from the submission of the previous report and follow should be between three and seven years after the previous report.

The publication of the final reports of the Boundary Commissions in 1954 aroused controversy. The First Periodic Review had caused strong opposition due to the amount of change. After five years, 170 constituencies had had their boundaries altered, often in a major way.¹³⁰ The Home Affairs Select Committee noted the criticisms in a report in 1986-87:

There was considerable criticism of the brevity of the English Commission's report, the absence of argued reasons for its decisions, the small number of local inquiries into its proposals and

¹²⁹ See the Boundary Commissions 1999 DJ Rossiter, RJ Johnston and CJ Pattie p85-87 for full discussion

¹³⁰ For accounts of the difficulties, see The Boundary Commissions, pp92-94

its failure to publish details of changes to its original recommendations.¹³¹

A leading expert on boundary reviews, David Butler, summarised the main problems:

- There was no administrative procedure for appeal from the Commissioners' revised recommendations.
- The English Boundary Commissioners (unlike the others) failed to explain their decisions.
- The redistribution took place too soon. There were few gross anomalies, but the rigorous pursuit of mathematical equality meant that, after only five years, 170 constituencies had their boundaries altered, often drastically.
- There was no real possibility of Parliament or the Government altering the Commissioners' recommendations, so that the debates on them became farcical.
- In several major respects, the rules laid down for the Boundary Commissions were ambiguous, contradictory, or inadequate.¹³²

A challenge was made in the courts in December 1954 in attempts to block the implementation of the Commissions' proposals. In *Harper v the Home Secretary* a challenge was made to a draft Order in Council which, Mr Harper was the Conservative Lord Mayor of Manchester.

The plaintiffs claimed that the report did not comply with the Rules for Redistribution as the English Boundary Commission had wrongly calculated the electoral quota.

Instead of using a quota for Great Britain, the Commission had decided to divide the English electorate by the target number of seats for England, to ensure that the number of seats for England did not rise. Had the Commission used the Great Britain quota England would have had 519 seats. The Commission worked on the basis of creating not substantially more or less than 506 seats. This was derived by subtracting 71 seats and 36 seats for Scotland and Wales from the target number of 613 described in Rule 1. In the end the Boundary Commission for England recommended 511 seats.

An interim injunction was granted but this was overturned by the Court of Appeal. It held that questions as to whether the Boundary Commissions had followed the correct procedure were for Parliament rather than the courts and that it had been unable to detect any error in the Commission's

¹³¹ Home Affairs Select Committee, Redistribution of Seats, Second Report, HC 97 1986/87, p3

¹³² The electoral system in Britain since 1918, by David Butler, 2nd ed., 1963

approach. The view that the Commission had not misinterpreted the Rules of Redistribution has been contested by some academics.¹³³

There were 43 separate Orders to implement the recommendations for England and Wales brought forward separately; 31 of these were debated in two all-night sittings on 16 December 1954 and 26 January 1955.

The number of seats in the House of Commons rose to 630 and the boundaries from this review were first contested at the 1955 General Election.

7.6

The House of Commons (Redistribution of Seats) Act 1958

The experience of the First Review led to amending legislation in 1958. The House of Commons (Redistribution of Seats) Act 1958 amended the review frequency by lengthening the period between reviews to 10-15 years.

The length of time between reviews was also partly driven by other new requirements of the 1958 Act. The Boundary Commission for England noted these in its final report of the Second Periodical Review:

it was clear that the second review would take much longer since the revised procedures introduced by the 1958 Act obliged us not only to hold local inquiries in certain circumstances but also to publish any revised recommendations.¹³⁴

The frequency of reviews then remained unchanged until 1992 and the Fourth Review.

The 1958 Act followed inter-party consultations in 1956 and 1957, which led to all party support for the changes made. The Home Secretary, R.A. Butler, said on second reading: “the effect of the Bill is to bring in a presumption against making changes unless there is a very strong case for them”.¹³⁵ The main changes were as follows:

- The electoral quota was to be calculated separately in each of the four parts of the UK;
- The interval between general redistributions was increased from 3-7 to 10-15 years;

¹³³ See Rossiter et al, *The Boundary Commissions: redrawing the UK's map of Parliamentary constituencies*, 1999, p95 where they quote Hugh Rawlings' conclusion that the Commissions 'clearly misinterpreted and misapplied the Rules' (1988, *Law and Electoral process*, pp281-9)

¹³⁴ Boundary Commission for England, *Second periodical report*, Cmnd 4084, June 1969, p1

¹³⁵ HC Deb 11 February 1958 c230

- The composition of the Commissions was changed, reducing membership from five to three, with the Registrars General and directors of the Ordnance Survey becoming Assessors instead of Commissioners. The Speaker continued to be the ex-officio Chairman but lost the power to select the Deputy Chairman. These now had to be a High Court judge (Court of Session judge in Scotland);
- The Boundary Commissioners were given greater latitude to depart from the electoral quota to leave constituencies undisturbed. Section 2(2) of the 1958 Act had the stated aim of requiring the Commissions to take account of the inconvenience and breaking of local ties which may occur when constituencies are changed. The general effect was to bring in a presumption against making changes unless there is a good case for doing so; and
- Provision was made for more local inquiries (mandatory in certain circumstances) and two rounds of representations.

7.7

Second Periodical Review 1969

The Second Review, based on the new timings, had to be completed at some point between November 1964 and November 1969. The Commissions started their work in 1965 and final reports were handed to the Government in 1969 – Northern Ireland in February, Scotland and England in April and Wales in May. They were published simultaneously in June 1969. However, the new boundaries were not implemented until the February 1974 General Election, nearly five years after the reports were published.

The then Home Secretary, James Callaghan, decided not to lay draft Orders to implement the recommendations. He announced that the government had decided not to implement the proposals in full in view of the impending reorganisation of local government. Critics claimed the real reason was that the proposals would have lost Labour between 10 and 20 seats.¹³⁶

Callaghan introduced a Bill to suspend the alteration to constituencies until this reorganisation was completed. There were many accusations of gerrymandering and the Bill was eventually blocked in the House of Lords in October 1969.

The Labour government abandoned the Bill. An elector in an affected constituency sought *Mandamus* (a type of judicial order) requiring the Home

¹³⁶ Robert Blackburn, *Electoral System in Britain*, 1995, pp134-7

Secretary to lay the Orders. The Home Secretary gave an undertaking to lay them, and the case was withdrawn.

Callaghan laid the Orders, with a recommendation to reject them. The Labour Government used its majority to defeat the Orders implementing the Boundary Commissions' on a three-line whip on 12 November 1969.¹³⁷

The 1970 general election was therefore fought on unchanged boundaries. The Conservatives included a manifesto commitment to implement the Commissions' recommendations in full; and this was done on 28 and 29 October 1970.

The recommendations did not take effect until the next general election, in February 1974.

7.8 Third Periodical Review 1983

As the timing of the next review was based on the submission date of the last report, the third review had slightly different deadlines in each part of the UK. The Commissions in England and Scotland were required to present their next final recommendations between April 1979 and April 1984; Wales between May 1979 and May 1984, and Northern Ireland between June 1979 and June 1984.

The Boundary Commission for Northern Ireland started its review in February 1976. In March 1977 the then Prime Minister announced his intention to refer the question of Northern Ireland's representation, namely the number of seats at Westminster, to a Speaker's Conference. The Boundary Commission therefore suspended its review until the outcome and the number of seats it was required to recommend was known.¹³⁸

Once the House of Commons (Redistribution of Seats) Act 1979 had received Royal Assent, allocating Northern Ireland 17 seats (with the power of the Commissions to vary by +/- 1), the Commission could begin its task.

The Boundary Commission for Wales started its third Review in February 1981. The Boundary Commission for England announced the start of its review in March 1976

The Third Periodical Review followed the reorganisation of local government between 1972 and 1974 and the redrawing of local boundaries.

¹³⁷ [HC Deb 12 November 1969 \[Parliamentary Constituencies \(Orders\)\]](#)

¹³⁸ Boundary Commission for Northern Ireland, Third periodical report on parliamentary constituencies and first supplementary report on the number of members to be returned to the Northern Ireland assembly by each of those constituencies, November 1982

The Boundary Commission for England anticipated that its review would take three years and would be complicated by the level of change to the local government boundaries underlying constituency boundaries:

The local government reorganisation which took effect in 1974 introduced a very different pattern of local authorities outside Greater London. Over 1,200 authorities were replaced by 378. In many instances constituency boundaries ceased to coincide with local authority boundaries. Indeed constituencies now crossed county boundaries. We noted that the proposals made by the Local Government Boundary Commission for the areas of the non-metropolitan districts did not usually follow constituency areas at all closely, the Local Government Boundary Commission having concluded that “there are practical considerations telling against any general correspondence of local government districts with constituency areas”.¹³⁹

In the end the review took the Commission over six years, mainly as a result in delays to the Local Government Boundary Commission for England’s work.

The Local Government Boundary Commissions, which are separate independent bodies, were behind in their timetable for local boundary reviews. There were also delays in getting the local figures to the Boundary Commission for England. There were challenges in the courts over the Local Government Boundary Commission for England’s proposals for Enfield and then challenges to the Parliamentary Boundary Commission for England’s recommendations for Tyne and Wear.

The Boundary Commission for Wales had delayed starting its Parliamentary review to allow the Local Government Boundary Commission for Wales to complete a general review of local government boundaries across Wales. Slow progress by the Local Government Boundary Commission meant that in the end the Commission had to base its recommendations on wards established in 1973.¹⁴⁰

The Boundary Commission for Scotland announced its review in February 1978. Scotland’s local government structures had been reorganised into regions and the Parliamentary Boundary Commission for Scotland waited until the Local Government Boundary Commission in Scotland had made recommendations on local government electoral arrangements for the whole of Scotland, implemented in early 1978.

The Scottish Parliamentary Boundary Commission noted that this would lead to the electoral quota in Scotland being calculated at a different time to the other nations but concluded that computing the quota too far in advance of making recommendations would be the wrong approach.¹⁴¹

¹³⁹ Boundary Commission for England Third Periodical Report, Cmnd 8797, February 1983, p2

¹⁴⁰ Boundary Commission for Wales Third Periodical Report, Cmnd 8798, February 1983

¹⁴¹ Boundary Commission for Scotland Third Periodical Report, Cmnd 8794, February 1983

The Commission in Northern Ireland handed over its report in October 1982. The remaining three Commissions handed theirs to the Government in early 1983, Wales in January and Scotland and England in February.

The draft Orders in Council were approved quickly and the boundaries were first used in the June 1983 General Election.

The Review created 651 constituencies: 524 in England, 72 in Scotland, 38 in Wales and 17 in Northern Ireland.

The Foot case

The Boundary Commission for England had just completed its Third Periodical Review and was preparing to submit its report to the Home Secretary in 1982 when Michael Foot, then leader of the Labour Party, Michael Cocks, the Chief Whip, Jim Mortimer, the general secretary and David Hughes, the national agent, acting in a personal capacity, challenged the Commission's findings in a large number of constituencies. The Third Review was commonly considered by commentators to have benefitted the Conservative Party.¹⁴²

This was known as the Foot case and the Labour Party argued that the Commissions had not given sufficient weight to the principle of equality of electorates.

The Court of Appeal found that there were 'no grounds for thinking that the Commission has misunderstood Parliament's instructions or has ignored them.'¹⁴³

The Appeal Court concluded that the rule relating to electoral equality was subordinate to the other rules. Sir John Donaldson, then Master of the Roles, said, "The practical effect is that a strict application of the Rules ceases to be mandatory so that the Rules, while remaining very important indeed, are reduced to the status of guidelines".¹⁴⁴

The judgment was queried by commentators who argued that Section 2(2) of the 1958 Act had been designed to exempt the Commission from rigid adherence to Rule 5 (electoral quotas) and that it could not be correct to categorise the other rules as merely guidelines. The overall effect was to give the Boundary Commission greater discretion in its work.

In practice, as a number of commentators have pointed out, the Commissions were concerned to restrict the growth in the number of constituencies and so did not in practice accept the logic of the Foot judgment. Lord Davidson, Deputy Chairman of the Parliamentary Boundary Commission for Scotland at

¹⁴² Oonagh Gay, Research Note 92/61, The Parliamentary Boundary Commissions and the Boundary Commissions Bill.

¹⁴³ R v Boundary Commission for England ex parte Foot [1983 QB600]

¹⁴⁴ 1983 QB 600 624

the time of the Third Review, told the Home Affairs Select Committee, ‘we do not subscribe to that view’.¹⁴⁵

7.9 The Parliamentary Constituencies Act 1986

[The 1986 Act](#) was a consolidations measure. It tidied up the statute book by bringing together the provisions relating to the Boundary Commissions.

As it was a consolidation measure, there was no substantive debate on the Bill. Section 2(2) of the 1958 Act, requiring the Commissions to take account of local ties and the inconvenience of altering boundaries over pure electoral equality, became Rule 7 in the Rules of Redistribution

The 1986 Act, as amended, remains the principal Act. As noted in section 2 the current Rules of Redistribution were inserted by the [Parliamentary Voting System and Constituencies Act 2011](#). They were further amended by the [Parliamentary Constituencies Act 2020](#).

7.10 Fourth Periodical Review 1997

The Fourth Review had been due to be completed no later than late 1997 or early 1998, based on the dates of the various Third Review reports of the Commissions. The Boundary Commission for England started its review in February 1991, anticipating that it would again take them a number of years to complete the review.

The Boundary Commission for England had initially intended to limit increases in the number of seats; in its introductory booklet, published in 1991, the Commission stated that it took the view that ‘where it is necessary to do so in order to give effect to Rule 1 (total number of constituencies) it would be proper for them in the exercise of the discretion given to them in the other Rules to limit any further increase in the number of seats.’

The Scottish Commission started its review in February 1992. The Commissions for Wales and Northern Ireland had not yet started their reviews when the Government informed the Commissions of their intention to introduce legislation in 1992 to bring forward the final deadline. The Boundary Commissions Bill was introduced in June 1992.¹⁴⁶

There had been concerns expressed during the Third Review that the interval was too long, leading to seats being contested on electorate data over five or

¹⁴⁵ Home Affairs Select Committee HC 97 1986-87 Redistribution of seats. second report with proceedings & appendices

¹⁴⁶ [HC Deb 5 June 1992 \[Boundary Commissions Bill\]](#)

six years old in the case of England and Scotland. Similar concerns were expressed in subsequent reviews.

On Second Reading the Home Secretary, Kenneth Clarke, indicated that a speeding up was necessary to prevent the quotas used at the start of the reviews from becoming very out of date.¹⁴⁷

The Boundary Commissions Act 1992 brought forward the deadline for the Fourth Periodical Review to December 1994 and reduced the cycle of review to every 8-12 years. It did this by amending the 1986 Act.

The 1992 legislation acknowledged the concerns of the Commissions on the shortened deadline by stating that if the statutory deadline was missed it would not invalidate a report.

This review proceeded with little controversy although the difficulties of local government reviews occurring on different cycles to the Parliamentary boundary commissions again caused delays.

In the end all four Commissions missed the new December 1994 deadline. The Scottish and Welsh Commissions handed over their reports in February 1995. England and Northern Ireland followed in June.

The Fourth Periodical Review recommended an increase of five seats in England, from 524 to 529; an increase of two seats in Wales, from 38 to 40 and an increase of one seat in Northern Ireland, from 17 to 18. Scotland continued to have 72 seats. The size of the House of Commons was therefore increased from 651 to 659. There was little controversy over the Fourth Review.

The boundaries resulting from this review were contested for the first time at the 1997 General Election.

7.11

Fifth Periodical Review 2005/2010

The current constituency boundaries result from the Fifth Periodical Review. The eight-twelve year timescale inserted by the 1992 Act would have meant the Commissions reporting between 2003 and 2007.

The data used by the Commissions were based on registered electors that coincided with the official announcement of the commencements of review: February 2000 (England), June 2001 (Scotland), December 2002 (Wales) and May 2003 (Northern Ireland).

Usually the recommendations of the Boundary Commissions' periodical reviews had come into effect at the same time. This was the first Periodical Review to be implemented at different times in one of the nations of the UK.

¹⁴⁷ [HC Deb 15 June 1992 \[Boundary Commissions Bill\]](#)

The recommendations for Scotland were implemented at the 2005 General Election. The rest of the UK was implemented at the 2010 General Election.

Scotland

The re-establishment of the Scottish Parliament led to the ending of over-representation of Scottish constituencies in Westminster that had been enshrined in the Rules of Redistribution since 1944.

The Scotland Act 1998, which started the formal devolution to Scotland, also amended the rules of Redistribution. It removed the guarantee of a minimum number of seats for Scotland and, for the first review after the passing of the Act, required the electoral quota for Scotland to be the same as that for England. This was the mechanism for ending the over-representation of Scotland and distributing seats on the same basis as in England. The 1998 Act also acknowledged the special geographical circumstances of the islands of Orkney and Shetland by preserving them as a single constituency.

The number of seats in Scotland were reduced from 72 to 59. In strict mathematical terms the number should have been 57 but the Commission used its discretionary application of the rules on geographical features to assist in creating the Na h-Eileanan an Iar seat and seats in the Highland Council area.¹⁴⁸

The Scottish Commission delivered its final recommendations in November 2004. These were approved by the House of Commons in January 2005 and by the Lords in February 2005, in time for the 2005 election.

Rest of the UK

The Boundary Commission for Wales delivered its report in December 2005, England in February 2007 and Northern Ireland in March 2008.¹⁴⁹

The Boundary Commission for England completed its fifth general review of the Parliamentary constituencies in England. The Parliamentary Constituencies (England) Order 2007 came into force on 27 June 2007 and the new constituencies came into being at the 2010 general election.

The Boundary Commission for Wales submitted its final report on 31 January 2005; the Order was made on 11 April 2006.

The Boundary Commission for Northern Ireland missed the statutory deadline for submission of its final report (by June 2007). This was because the Boundary Commission deferred its consideration of the revised Parliamentary

¹⁴⁸ Boundary Commission for Scotland, [Fifth Periodical Report](#), Cm 6427, February 1995, p10

¹⁴⁹ Boundary Commission for Wales [Fifth Periodical Report on Parliamentary Constituencies and First Report on National Assembly for Wales Electoral Regions](#), 14 December 2005, HC 743-I, 2005-06; Boundary Commission for England [Fifth Periodical Report](#), Cm 7032, February 2007; Boundary Commission for Northern Ireland, [Fifth Periodical Report on Parliamentary Constituencies](#), March 2008

constituency boundaries because of a major review of local government. This had been designed to create seven new ‘super councils’ to replace the existing 22 and was introduced by the UK Government during suspension of the power sharing executive in Northern Ireland (the plans were later abandoned).

On 3 October 2007, the Boundary Commission announced that as the local government boundaries review was not yet completed and the Northern Ireland Executive had now announced a review of the future shape of local government in Northern Ireland, the Commission had decided that it should not delay the submission of its final recommendations. These were then approved by both Houses of Parliament in May/June 2008.¹⁵⁰

¹⁵⁰ [HC Deb 25 April 2012 \[Police and Crime Commissioners\]](#)

8 Historic size of the House of Commons – up to 1945

Summary

The number of MPs in the House of Commons is currently 650. Legislation passed in 2020 has now fixed the size of the House at 650.

Historically the House of Commons of England and Wales had grown to 513 MPs in 1700. At the Acts of Union with Scotland and Ireland, each of the two countries were allocated seats in the expanded House of Commons. Union with Scotland added 45 MPs in 1707 and Ireland added 100 MPs in 1801.

Until the periodical reviews of constituencies introduced in 1944, the redistribution of seats was ad hoc and linked to the Reform Acts that extended the franchise for Parliamentary elections.

The number of MPs at the time of the Great Reform Act of 1832 was 658. It remained at 658 until 1870 when six seats from four boroughs were abolished for corruption. The elections of 1874 and 1880 returned 652 MPs.

The Redistribution of Seats Act 1885 increased the number of seats to 670. The first general election to return 670 MPs was the election held in November and December of 1885.

The Representation of the People Act 1918 increased the number of MPs to 707 at the general election of December 1918. Of those seats, 105 were for Irish constituencies. The 1918 election saw Sinn Féin win 73 seats and, as now, the Party refused to take their seats in the House of Commons.

Subsequently, following the Irish War of Independence, only the 13 seats retained for Northern Ireland continued to return MPs to the House of Commons.

At the general election held in November 1922 the House of Commons was reduced in size to 615 and it remained that size until the General Election of 1945.

8.1

Pre-1832

The number of seats in the House of Commons grew in stages until it reached 658 MPs in 1800.

Before the Acts of Union with Scotland (1706-7) and Ireland (1800), the House of Commons returned 513 MPs from 314 constituencies.

In England, the number of seats had gradually evolved. Two county MPs were regularly returned but Cheshire and county Durham were treated differently and were not included until 1545 and 1678 respectively. Monmouthshire was treated as an English county.

The number of borough seats gradually increased, particularly in the Tudor period. For example, from 1386 to 1421 the number fluctuated 80 to 90 borough MPs, principally from county towns, the City of London and the Cinque Ports. By 1660 201 English boroughs returned 388 Members.

In Wales, the pattern of Parliamentary representation was established in the reign of Henry VIII. In this period two Acts of Union were passed to enfranchise the Principality and establish the historic counties of Wales (excluding Monmouthshire, as noted above). Each county returned a single Member. The first returns of Members for Wales are recorded in the Parliament of 1542.

When the Welsh counties were established and granted the right to Parliamentary representation, the duty of sending a knight of the shire to Westminster, and paying his expenses, was regarded as a financial burden and this may be the reason that the Welsh counties were only required to send one MP. In relation to the English counties the counties in Wales were comparatively less affluent.¹⁵¹

Welsh borough seats were different to English borough seats. The Welsh borough seats each returned a single MP but the electorate for the seat was drawn from more than one borough within the county, known as contributory boroughs. The seats were often known as districts of boroughs.¹⁵²

The breakdown of the House of Commons was:

- 80 English county MPs:
 - 2 from each of the 40 historical counties;
- 405 English borough MPs:
 - 2 MPs from each of 196 boroughs;
 - 5 MPs from single seat boroughs;

¹⁵¹ Raymond Grant, *The Parliamentary History of Glamorgan 1542-1976*, 1978, p89

¹⁵² History of Parliament, [Constituencies 1690-1715](#)

- 4 MPs from the City of London;
- 4 MPs from the combined Weymouth and Melcombe Regis seat.
- 4 University seats:
 - 2 MPs each from Oxford and Cambridge universities.
- 24 MPs from Wales:
 - 1 MP from each of the 12 historic counties;
 - 1 MP from each of the 12 borough seats.

English Civil War

Changes to the pattern of representation occurred in the Protectorate Parliaments of 1654 and 1656 that followed Oliver Cromwell's victory over Charles I. The Protectorate Parliaments were elected under the terms of the Instrument of Government.

The number of seats were reduced and seats were redistributed to give preference to county representation rather than borough seats - 259 county seats compared to 141 borough representatives.

Up to 60 representatives from Scotland and Ireland, largely Cromwell's followers, attended Parliament long before the Acts of Union. Thirty from each country.

The arrangements were abandoned after the Restoration of the Monarchy and the former arrangements were reinstated, with separate Parliaments in Edinburgh, Dublin and London. The House of Commons of England and Wales reverted to its previous system of elections.¹⁵³

Acts of Union - Scotland

The Acts of Union that created the Parliament of Great Britain and abolished the Scottish Parliament. It created 45 Scottish seats in the newly expanded House of Commons.

The first 45 Members from Scotland who took their seats in the first Parliament of Great Britain in November 1707 were indirectly elected by the Scottish Parliament itself. The first direct Scottish elections to the Great Britain Parliament were held in the general election of 1708.

- 30 Scottish county MPs:
 - 1 MP from each of 27 of the 33 historic counties;

¹⁵³ See the [Civil War pages](#) on the Living Heritage section of the UK Parliament website.

- 1 MP from each of three pairs of the smaller historic that alternated in electing the MP.

- 15 Scottish burgh MPs:
 - 14 MPs – one from each of 14 seats comprised of groupings of burghs (known as districts of burghs) covering 65 burghs;
 - 1 MP from Edinburgh.¹⁵⁴

Acts of Union - Ireland

Following the Union with Ireland, in 1800, legislation was passed to include 100 MPs from Ireland in the expanded House of Commons in Westminster, taking the total to 658.

- 64 Irish county MPs:
 - 2 MPs from each of the 32 historic counties of Ireland.
- 35 Irish borough MPs:
 - 1 MP from each of 31 boroughs;
 - 2 MPs each from Dublin and Cork.
- 1 university seat:
 - 1 MP from Trinity College, Dublin.

The number of county MPs was the same as had sat in the Irish House of Commons but the number of boroughs returning MPs was slashed from 116 to 33.¹⁵⁵

8.2

1832-1867

The first major ad hoc redistribution of seats is associated with the Great Reform Act of 1832. In fact, there were several Acts that led to the redistribution of seats and the drawing of the boundaries. The Great reform Act only covered England and Wales. Separate legislation covered Ireland and Scotland. However, the number of seats in the House of Commons remained at 658.

There had been previous attempts to reform representation in the Commons. For example, Lord John Russell, who went on to be the principal architect of the Great Reform Act 1832, was a leading promoter of Parliamentary reform.

¹⁵⁴ Ibid

¹⁵⁵ History of Parliament, [Constituencies 1790-1820](#)

He introduced a Bill to enfranchise Manchester in 1828, and in 1830 he made another bid to gain representation for Leeds, Birmingham, and Manchester. He sought leave to introduce a Bill to enfranchise the three towns in Parliament, but this was defeated by 188 votes to 140.¹⁵⁶

The Government attempt to pass a reform Bill presented to Parliament in March 1831. It had intended to reduce the “inconveniently large” size of the House of Commons.¹⁵⁷

The proposed reduction, to 596 seats, with modest gains in the total number of seats for Scotland, Wales and Ireland (5,3, and 1 respectively) and the large increase in the number of single-Member boroughs proved controversial. An amendment was carried in April 1831, that stated:

It is the opinion of this House, that the total number of knights, citizens, and burgesses, returned to Parliament for that part of the United Kingdom called England and Wales, ought not to be diminished.¹⁵⁸

Parliament was subsequently dissolved without further progress on reform. The Second Reform Bill was passed by the Commons but rejected by the Lords, which led to riots in parts of the country. A third Reform Bill was initially rejected by the House of Lords, but finally succeeded after the threat of creation of peers in the House of Lords by the King.¹⁵⁹

The Great Reform Act altered the distribution of seats in England with improved representation for industrial centres in the north.¹⁶⁰ In total, 143 borough seats were abolished (55 two-seat boroughs were abolished and one single-member seat was abolished completely, one four-member seat was reduced to two MPs, and 30 boroughs had their number of MPs reduced from two to one).

Of these 62 seats were transferred to create additional county seats and 63 were transferred to new borough seats in England. The borough seats were a mixture of single and two-member seats. The additional county seats were created by returning an additional third MP for some counties, and for others, dividing the county into two divisions with each division returning two MPs. Yorkshire was divided into its three Ridings, with each Riding returning two MPs.

Wales gained 3 county seats and two additional borough seats. The remaining 13 seats were redistributed to give Scotland 8 new borough seats and Ireland only 1 new borough seats and an extra university seat,

¹⁵⁶ HC Deb 23 February 1830 c858-918

¹⁵⁷ History of Parliament, [The English Reform Legislation](#), published in *The History of Parliament: the House of Commons 1820-1832*, ed. D.R. Fisher, 2009

¹⁵⁸ [HC Deb 19 April 1831, c1688](#)

¹⁵⁹ [Reform Bill](#), Encyclopædia Britannica

¹⁶⁰ Representation of the People Act 1832 (2 Will 4, chapter 45)

maintaining the under-representation of Ireland.¹⁶¹ The extra seats for Ireland¹⁶² and Scotland¹⁶³ were allocated through separate legislation.

As a result of the reform legislation of 1832 the 658 seats were distributed as follows:

- **England** (including Monmouthshire) 471 MPs
 - 144 county MPs - seven counties each with three-members, 58 two-Member county divisions; two MPs from each of the Ridings of Yorkshire, and one MP from the Isle of Wight;
 - 323 borough MPs from 187 constituencies (a mixture of one and two-member seats, and the City of London returning 4 MPs);
 - 4 university MPs – 2 each from Oxford and Cambridge.
- **Ireland** 105 MPs
 - 64 county MPs – two from each of the 32 historic counties;
 - 39 borough MPs – two each from Dublin, Belfast, Cork, Galway, Limerick, and Waterford and one MP from a further 27 boroughs;
 - 2 MPs for Dublin University.
- **Scotland** 53 MPs
 - 30 county MPs - 27 from the 27 historic counties and 3 from three pairs of the smaller historic counties;
 - 23 burgh MPs – two each from Edinburgh and Glasgow; one MP each from Aberdeen, Dundee, Greenock, Paisley, and Perth and one MP from each of the district of burgh groupings.
- **Wales** 29 MPs
 - 15 county MPs – 2 each from Carmarthenshire, Denbighshire and Glamorganshire and one each from the remaining nine counties;

¹⁶¹ History of Parliament, [The English Reform Legislation](#), published in *The History of Parliament: the House of Commons 1820-1832*, ed. D.R. Fisher, 2009

¹⁶² Representation of the People (Ireland) Act 1832 (2 and 3 Will 4 chapter 88)

¹⁶³ Act to amend the Representation of the People in Scotland 1832 (2 & 4 Geo IV chapter 65)

- 14 borough MPs – there were 14 single-Member seats, of which 12 were grouped districts of boroughs, including Cardiff, and 2 were comprised of a single area (Brecon and Merthyr Tydfil).

8.3

1867-1885

The number of seats remained at 658 until 1870, although at various general elections in the intervening years some seats were vacant. This was as a result of disenfranchisement of various boroughs, usually for corrupt practices at elections, which then had their seats reallocated to boroughs or to English county seats at a later date.

The Second Reform Act of 1867 redistributed seats in England by reducing the number of seats in existing boroughs by 45 MPs and allocating them to new boroughs and county divisions. The University of London also became a single-Member university seat, but the total number of seats for the UK was maintained at 658 MPs.

In 1868 the second reform Act in Scotland added 7 seats in Scotland, taking the total to 60. University seats were created in Scotland for the first time, one for Edinburgh and St Andrew's and one for Glasgow and Aberdeen. A third seat was allocated to Glasgow and a second to Dundee and three counties were divided into two single-Member seats. The number of seats in the House of Commons remained at 658, as the 1868 Act abolished seven borough seats in England to make way for the additional seats in Scotland, taking England to 464 MPs.

In 1870, four boroughs were disenfranchised for corruption and the seats were abolished rather than reallocated. They were Beverley and Bridgwater (two-member seats), in England, and the Irish boroughs of Cashel and Sligo, both single-Member seats. The elections of 1874 and 1880 therefore returned 652 MPs.

8.4

1885-1918

The Third Reform Act, passed in 1884, established a uniform UK-wide franchise by extending the householder voting rights enjoyed in the Parliamentary boroughs to those living in the counties, enfranchising agricultural labourers.¹⁶⁴ It did, however, retain almost all of the historic voting rights still in force at the time the Bill was introduced.¹⁶⁵

¹⁶⁴ Representation of the People Act 1884 (48 Victoria, chapter 3)

¹⁶⁵ Library briefing RP13-14, [The History of the Parliamentary Franchise](#), p35

The 1885 redistribution that followed was the first UK-wide review and meant that 670 MPs were returned from 643 constituencies. Monmouthshire continued to be considered an English county for Parliamentary purposes.

Each of the three Boundary Commissions (for England and Wales, for Scotland, and for Ireland) operated under similar instruction and for the first time, consideration was given to creating seats with roughly similar electorates. The size of the electorates of seats had been considered before but usually in the context of disenfranchising the smallest boroughs.

As *The Times* reported in December 1884, following the Prime Minister Gladstone's announcement, "The principles of disenfranchisement and enfranchisement...are to be applied equally...to the various parts of the various parts of the United Kingdom".¹⁶⁶

The Redistribution of Seats Bill included provisions for the redistribution of seats and then Boundary Commissions were established to recommend boundaries while the Bill was still going through Parliament. The recommendations of the Commissions were incorporated into the Bill which became the Redistribution of Seats Act 1885.¹⁶⁷

As a result of the Act most constituencies returned a single member. All county divisions were split into single-Member county constituencies. Larger boroughs and cities were split into single-Member borough divisions and most other boroughs seats returned a single MP. The only remaining two-Member seats were the three university constituencies of Oxford, Cambridge, and Dublin; the Parliamentary boroughs of Dundee, Merthyr Tydfil and Cork City; 20 English boroughs, and the City of London. Many of the Irish boroughs were abolished and merged into an increased number of county constituencies.

The breakdown of the 670 seats in the House of Commons was as follows:

- **England** 465 MPs (including 4 MPs from Monmouthshire)
 - 234 county MPs from single-member county constituencies;
 - 184 borough MPs from single-member borough constituencies;
 - 42 borough MPs from 21 two-member borough seats (including the City of London);
 - 5 MPs from 3 university constituencies (2 each from Oxford and Cambridge and 1 from London).

¹⁶⁶ *The Times*, 2 Dec 1884, p9

¹⁶⁷ Redistribution of Seats Act 1885 (48 & 49 Vict chapter 23)

- **Ireland** 103 MPs
 - 85 MPs from single-member county constituencies;
 - 14 MPs from single-member borough constituencies;
 - 2 MPs from one two-member seat (Cork City);
 - 2 MPs for Dublin University.
- **Scotland** 72 MPs
 - 37 county MPs from single-member county constituencies;
 - 13 burgh MPs from single-member districts of burghs seats;
 - 20 burgh MPs from single-member burgh constituencies;
 - 2 MPs from two single-member university seats.
- **Wales** 30 MPs
 - 18 county MPs single-member county constituencies;
 - 2 MPs from one two-Member borough (Merthyr Tydfil);
 - 10 borough MPs (9 districts of boroughs and one single-member borough).

8.5

1918-1945

The [Representation of the People Act 1918](#) introduced near universal male suffrage and granted some women over the age of 30 the Parliamentary franchise for the first time.

The Act also set the boundaries of Parliamentary constituencies in Great Britain that existed between the two World Wars, based on the recommendations of the three Boundary Commissions (England and Wales were again covered by a single Commission).

Each of the Commissions was, for the first time, chaired by the Speaker of the House of Commons. The Redistribution of Seats (Ireland) Act 1918 implemented the changes in Ireland. The size of the House of Commons rose to 707 at the 1918 General Election, an increase of 37.

By the time of the 1917-18 redistribution it had become accepted that equal voting rights needed to be accompanied by equality of representation and that there needed to be numerical equality of electors between constituencies. The report of the Speaker's Conference of that year stated that "each vote shall as far as possible, command an equal share of representation in the House of Commons."¹⁶⁸

The recommendations of the Speaker's Conference of 1917 were that each seat should ideally have a population of 70,000.¹⁶⁹

The instructions issued to the Commissions by the Government consisted of 15 rules. The main points were:

- The House of Commons was to remain "substantially as present";
- A county or borough with a population less than 50,000 was to cease to have separate representation (except the City of London);
- Existing seats with a population of 50,000-70,000 would continue to have separate representation;
- Two-Member borough seats with a population of 120,000 or over would not lose a seat and boroughs entitled to more than three seats would be divided into several constituencies;
- Each MP should represent a population of 70,000;
- Counties entitled to more than two seats should be divided into constituencies that "should endeavour after ascertaining local opinion to segregate as far as possible adjacent industrial and rural areas";
- Boroughs losing their separate representation could be combined with other boroughs in a county to form borough seats rather than being merged into the county;
- Where an ancient Parliamentary borough loses its separate representation into a county seat then the name should transfer to the county constituency.
- Constituency boundaries should coincide, where possible, with local administrative boundaries.

¹⁶⁸ Conference on Electoral Reform. Letter from Mr. Speaker to the Prime Minister, Cd 8463

¹⁶⁹ *Ibid*, p4

The House of Commons instructed the Commissions to consider populations rather than electorates, unless the proportion of electorate compared to the population was “abnormal”.

In the end, all three Commissions used populations as the basis for their deliberations. The Boundary Commission for England and Wales commented that the five constituencies in Tower Hamlets had “a large alien population” and that the low levels of overnight population in Westminster and Holborn had led to representations that the electorate should be the determining factor. Overall, the Commission determined that “that there was no such abnormality as would justify special treatment in these cases”.¹⁷⁰

The Commissions were also allowed some discretion in the meeting the population requirements where it would result in “the formation of constituencies inconvenient in size or character”. In Scotland, for example, the Commission concluded that the “remoteness and inaccessibility of the Highlands, coupled with their great extent, seemed to us to fulfil precisely the conditions contemplated by the proviso”.¹⁷¹

The seats resulting from the 1917-18 review were first contested at the December 1918 General Election and remained in place in nearly all areas until 1950 (in 1945 some larger seats were subdivided – see section 7.2).

The size of the House of Commons at the 1918 General Election was 707 seats. England gained 29 seats, Scotland gained two seats (one of those was a university seat), and Wales gained six seats (five of the six seats were as a result of Monmouthshire being included in the Wales elements of the Act and the other was a new university seat).

The redistribution was primarily driven by population changes as the urban population in the big cities had grown at the expense of the countryside. The number of borough seats in England grew with London and the largest cities the main beneficiaries. Glasgow grew from seven to 15 seats, Birmingham from seven to 12, Liverpool from nine to 11 and Manchester from six to 10.¹⁷² In Ireland Belfast increased from four to nine seats and Dublin from four to seven.

The House was constituted as follows in 1918:

- **England** 492 MPs
 - 230 county MPs from single-member county constituencies;
 - 233 borough MPs from single-member borough constituencies;

¹⁷⁰ Report of the Boundary Commission (England and Wales), Cd 8756, 1917-18, p10

¹⁷¹ Report of the Boundary Commission (Scotland), Cd 8759, 1917-19, p4

¹⁷² Parliamentary History, The Reform Act of 1918 – the Advent of Democracy, Vol 37, Issue 1 February 2018,

- 22 borough MPs from 11 two-member borough constituencies (including the City of London);
- 7 MPs from 4 university constituencies (2 each from Oxford, Cambridge, and the Combined English universities constituency, and one from London)
- **Ireland** 105 MPs
 - 19 MPs from single-member county constituencies;
 - 80 MPs from single-member borough constituencies;
 - 2 MPs from one two-member seat (Cork City);
 - 4 MPs from three university seats (2 from Dublin University, 1 from Queen's University Belfast and 1 from National University of Ireland).
- **Scotland** 74 MPs
 - 38 county MPs from single-member county constituencies;
 - 6 burgh MPs from single-member districts of burghs seats;
 - 25 burgh MPs from single-member burgh constituencies;
 - 2 MPs from one two-Member constituency (Dundee);
 - 3 MPs from the Combined Scottish Universities seat.
- **Wales** 36 MPs (including Monmouthshire)
 - 24 county MPs single-member county constituencies;
 - 11 borough MPs from single-Member borough constituencies;
 - 1 MP from the University of Wales.

Creation of the Irish Free State

At the 1918 General Election Sinn Féin won a landslide of 73 of the 101 geographical seats in Ireland, including the first woman elected to the House of Commons, Constance Markievicz (in the Dublin St Patrick's seat). Public opinion in Ireland had turned against the British Establishment. Following the

Easter Rising of 1916, the subsequent secret courts-martials and executions of the leaders of the Rising, and the violence used by British forces on the imposition of martial law, a wave of resentment grew across Ireland.

Then, as now, Sinn Féin's MPs refused to take up their seats in Westminster and had pledged to form an independent assembly in Ireland. The first Dáil Éireann (Assembly of Ireland) met in January 1919 where the 1916 Proclamation of the Irish Republic was ratified and a provisional constitution was adopted by Sinn Féin representatives meeting in the Round Room of Dublin's Mansion House. Unionist and Irish Party MPs declined to attend. The responses to the declaration eventually escalated into the Irish War of Independence.¹⁷³

In 1920 the UK Parliament passed the Government of Ireland Act, which made provisions for two devolved Parliaments to be established in Ireland, one covering the six counties of Northern Ireland and the other covering the remaining 26 counties. The number of Irish MPs at Westminster was to be reduced to 46, 13 of whom would represent the six counties in the north and 33 for the remaining 26 counties.

This was superseded by the Irish Free State (Agreement) Act 1922. The Act implemented the 1921 Articles of Agreement for a Treaty signed between the British Government and representatives of Sinn Féin.

The creation of the Irish Free State in 1922 left Northern Ireland, as defined in the Government of Ireland Act 1920, within the United Kingdom. The Act provided for 13 MPs from Northern Ireland to sit in the UK Parliament. The origin of the choice of 13 seats remains obscure.¹⁷⁴

From the 1922 General Election the number of MPs in the House of Commons therefore fell from 707 to 615 as only 13 MPs from Northern Ireland were returned to the Westminster Parliament, four from Belfast, one from Queen's University Belfast and eight from county constituencies.

¹⁷³ Houses of the Oireachtas, [History of Parliament in Ireland](#)

¹⁷⁴ Library briefing, [Northern Ireland: Political Developments since 1972](#), published September 2013

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