

Parliamentary Constituencies Bill and 2023 Review

Background

1. The Commission is invited to note the key points from the Parliamentary Constituencies Bill and the outline review plan for the 2023 Review.

Parliamentary Constituencies Bill

2. On 19 May the Parliamentary Constituencies Bill received its 1st reading in the House of Commons, the 2nd reading was on 2 June and the Bill was considered at Committee Stage between 18 June and 30 June. The Secretary gave evidence to the Committee on 18 June along with Secretaries of the other UK Commissions. Report Stage is set for 14 July.
3. Full information on the Bill and debates to date can be found here:
<https://services.parliament.uk/Bills/2019-21/parliamentaryconstituencies.html>

Bill Summary

4. The principal legislative framework set out in the Parliamentary Constituencies Act 1986 remains in place. The Parliamentary Constituencies Bill makes a number of amendments to the timing and the process of future boundary reviews and retains 650 constituencies. The changes are summarised below.
5. The Bill:
 - removes the statutory duty on the Government to implement the 2018 boundary review recommendations (which was based on 600 seats), and the requirement under the Parliamentary Voting System and Constituencies Act 2011 to make arrangements to review the reduction in the number of constituencies to 600 by 30 November 2020;
 - provides for the next boundary review, due to begin in early 2021, to be carried out on the basis of 650 constituencies, and to report before 1 July 2023. Thereafter, the length of time between boundary reviews is extended from 5 to 8 years (the next review will report before 1 October 2031);
 - provides for the boundary review that is due to report before 1 July in 2023 to take place within the slightly shortened time frame of 2 years and 7 months (rather than the current 2 years and 10 months). The Bill enables this by making changes to the timings of the three stages to the publicity and consultation process at the next boundary review. In future, after the next boundary review, reviews will revert to taking place over the period of 2 years and 10 months. The Bill also changes the timing of public hearings for the next and subsequent boundary reviews so that the public hearings will be held during the secondary consultation period (instead of during the initial consultation period); Therefore:
 - the initial consultation period is shortened from 12 weeks to 8 weeks;
 - the secondary consultation period is extended from 4 weeks to 8 weeks. Public Hearings are to be held during this consultation stage rather than during the initial consultation; and
 - the 8 week Revised Proposals consultation period is retained.

For the 2023 Review only, the 3 consultation periods above will be 8 weeks, 6 weeks and 4 weeks respectively.

- makes provision for Boundary Commissions to be able to take into account local government boundaries that are in place on the “review date” (the formal start of the review), as well as any such boundaries that are set out in provisions of legislation, but where those provisions have not yet come into force fully for the purposes of a local election by the review date;
- during the review Progress Reports must continue to be submitted to the Speaker in January;
- makes provision for how boundary recommendations come into effect following a boundary review. In future, the Boundary Commissions will submit their final reports to the Speaker of the House of Commons (who is the Chair of the Boundary Commissions). The Bill also provides that the draft Order in Council giving effect to recommendations will no longer be subject to any parliamentary procedure or approval before being made; and
- also makes a number of consequential amendments, in particular amending section 33(3)(a) of the Northern Ireland Act 1998.

Issues arising during discussion on the Bill

6. At Committee Stage the Bill was amended, by government amendment, so that the electorate data used would be that as at March 2020. This should allow use of an accurate and complete register without waiting for completion of the delayed 2020 canvass.
7. The Committee agreed to amend the Bill to give protected status to Ynys Mon (Anglesey) matching existing protections for the Isle of Wight, Na h-Eileanan an Iar and Orkney and Shetland)
8. There was considerable discussion over removing Parliamentary oversight from the process and an amendment has been tabled for Report Stage that would leave the approval process unchanged.
9. The limit of +/- 5% variation from the electoral quota remains but there was discussion at Committee Stage about whether this should be increased to 7.5%. An amendment to make this change has been tabled for Report Stage.
10. The number of public hearings remains limited at 5 for Scotland although moving the hearing to the secondary consultation stage means the restriction may have less impact. However, the Secretariat believes Cabinet Office are sympathetic to increasing the number to 6 or 7.
11. A Report Stage amendment has been tabled which would ensure a minimum number of constituencies in Wales, Northern Ireland and Scotland (40, 18 and 59 respectively).
12. An amendment has been tabled which would move away from using the electoral register to try and include an estimate of eligible but unregistered electors.

13. Finally, there was discussion at Committee stage regarding size of constituencies and the Rule affecting that (the Highland issue) as well as the definition of which local authority boundaries should be used. No change to the Bill was made at Committee Stage and no amendment has been tabled for Report Stage at the time of writing.

2023 Review Plan

14. A draft outline project plan is attached at Appendix A reflecting the legislation as it currently stands. This will be worked up into a full project plan in due course but for now sets out indicative timings for the main stages of the 2023 Review.

Conclusion

15. The Commission is invited to note the main changes the Parliamentary Constituencies Bill will implement and offer any comments on the outline review plan before it is further developed.

Secretariat
July 2020

2023 Review of UK Parliament constituencies Outline Plan

Task	Duration	Start	Finish	Notes
Announcement of review			Feb 2021	
Meet political parties			Mar, Apr 2021	Scottish Parliament election May 2021
Develop Initial Proposals		Mar 2021	Sept 2021	
Publication of Initial Proposals – Statutory Consultation	8 weeks	Oct 2021	Nov 2021	May adjust timing to co-ordinate with other UK Commissions. Political party conferences mid Sept – Oct
Report to Speaker			Jan 2022	Progress Report
Collation of consultation comments		Jan 2022	Feb 2022	
Publication of representations for scrutiny – Statutory Consultation	6 weeks	Mar 2022	April 2022	5 public hearings. Easter 4 April
Consider consultation comments. Develop Revised Proposals		April 2022	June/July 2022	Local government election May 2022
Publication of Revised Proposals – Statutory Consultation	4 weeks	Nov 2022	Dec 2022	Political party conferences mid Sept – Oct
Report to Speaker			Jan 2023	
Collation of consultation comments. Develop Final Recommendations		Jan 2023	May 2023	
Submit Report to Secretary of State			Before 1 July 2023	

The timetable is indicative as until the Bill completes its passage and is enacted there remains uncertainty as to the final legislative framework, including start date.