

Guide to the 2018 Review of Parliamentary constituencies



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Introduction

Who we are and what we do

- 1 The Boundary Commission for England (BCE) is an independent and impartial non-departmental public body, which is responsible for reviewing Parliamentary constituency boundaries in England. The members of the BCE and other key positions are described at Appendix A.
- 2 The BCE has the task of periodically reviewing all the Parliamentary constituencies in England. It is currently conducting a review on the basis of rules most recently updated by Parliament in 2011. These latest rules involve a significant reduction in the number of constituencies in England and require constituencies to comply with new parameters, so far as the number of electors in each constituency is concerned.
- 3 The review process is heavily informed by public consultation. The BCE develops and publishes initial proposals for constituencies across England. Representations from the public about these proposals are then taken both in writing and at public hearings in each region of England. In light of all the views expressed about the initial proposals, the BCE may revise them and then conduct a further round of written consultation on the revised proposals.
- 4 The BCE is required to make a formal report to the Government during September 2018, recommending any changes that it believes are appropriate to the distribution, size, shape, name or designation of constituencies in England. This review is therefore referred to as ‘the 2018 Review’.
- 5 The Government will turn the recommendations of the BCE into draft legislation, which is then presented to Parliament. If Parliament approves the legislation, the recommended changes will be implemented for the next General Election after the date on which the legislation is passed.

Purpose of the Guide

- 6 The BCE has produced this Guide to help to explain how the process for the 2018 Review will work. The Guide covers both what the law says the BCE must do as part of the process, and issues where the BCE has decided – as a matter of policy within its own discretion – to take a particular approach.
- 7 This Guide sets out a detailed and technical statement of the statutory framework, the review process and the BCE’s policies in developing proposals and final recommendations.
- 8 The BCE hopes that, by clarifying the process and policy in this way, the Guide will both encourage those who may be thinking of making their views known and help to ensure that those who do make their views known can do so in the most well-informed and effective manner. The Guide therefore aims:
 - to **explain clearly how and when the public may contribute their views**, so as to most effectively inform the development of the BCE’s final recommendations; and
 - to explain the significant changes that were most recently made to the law governing Parliamentary constituency reviews by the Parliamentary Voting System and Constituencies Act 2011 (‘the 2011 Act’). **The 2011 Act has a major impact on the way a review operates, and particularly the first review to be completed¹ following that legislation is likely to result in some degree of change to a large number of existing constituencies.**
- 9 However, the Guide is not intended to be a full statement of the law about the review and redistribution of Parliamentary constituencies. For a definitive statement of that law, please refer to the provisions of the Parliamentary Constituencies Act 1986 (as amended by the Boundary Commissions Act 1992 and the 2011 Act) available at www.legislation.gov.uk. The 1986 Act (as amended) is referred to throughout the remainder of this Guide simply as ‘the Act’.

Contact details

- 10** Any queries about the content of this Guide, or on any other aspect of the work of the BCE, can be raised using these contact details:

Boundary Commission for England
35 Great Smith Street
London
SW1P 3BQ

Telephone: 020 7276 1102

Email: information@boundarycommissionengland.gov.uk

Web: www.independent.gov.uk/boundarycommissionforengland

- 11** All material published by the BCE and other information about the 2018 Review may be found on its website.

UK electoral boundaries the BCE is not responsible for

- 12** There are separate Boundary Commissions for Northern Ireland, Scotland and Wales, which are responsible for the review of Parliamentary constituencies in their respective parts of the United Kingdom
- 13** The BCE has no responsibility for the review of local government electoral boundaries or structural reviews of local government. In England, such reviews are the responsibility of the Local Government Boundary Commission for England, while similar bodies conduct local government reviews in the other parts of the UK.
- 14** Contact details for all these bodies are to be found in Appendix B.

Preparing for the review

The base data for the 2018 Review

- 15 The Act provides that the electorate figures that are to be used for a review are those that were in the version of the electoral register published on the 'review date'. This is defined by the Act as the date two years and ten months before the review is required to report to the Government. **For the 2018 Review, this means that the electorate figures used must be those from the electoral registers that were required to be published on or before 1 December 2015** (although in certain special circumstances registers may in fact have had publication delayed by a couple of months). The BCE has published on its website all the base electorate data for the 2018 Review.
- 16 The Act says that the BCE may have regard to 'local government boundaries' in developing its proposals. The Act defines such boundaries in England as the boundaries of: counties and their electoral divisions; districts and their wards; London boroughs and their wards; and the City of London; all as they were in force on the last ordinary day of election of councillors before the review date. **For the 2018 Review, this means the local government boundaries referred to are those in force as at 7 May 2015.** The local government boundaries that the BCE is using for the 2018 Review can be found in the Ordnance Survey's Boundary Line mapping product (October 2015 version).² The maps published alongside the BCE's proposals (in hard copy and on the BCE website) will also show the relevant local government boundaries.

The distribution of constituencies

- 17 The Act now requires there to be a fixed number of 600 constituencies for the whole of the UK.³ Having stated that no single constituency may be split between different parts of the UK,⁴ the Act provides a mathematical formula⁵ to determine how many constituencies each of the four parts of the UK should be allocated, based on the electorate figures as at the review date. **The number of constituencies allocated to England for the 2018 Review is 501.** Two of these constituencies are expressly reserved for the Isle of Wight, which the Act specifically states must have two constituencies.⁶
- 18 The BCE has subsequently distributed the remaining 499 constituencies (i.e. the total English allocation less the two reserved for the Isle of Wight) between the regions used for European Parliament elections.⁷ In order to do so, the BCE used the same mathematical formula (commonly known as the Sainte-Laguë method) as that provided in the Act for the initial allocation between the four parts of the UK.

19 This gives the following allocation of constituencies between the regions:

Eastern	57
East Midlands	44
London	68
North East	25
North West	68
South East	81*
South West	53
West Midlands	53
Yorkshire and the Humber	50

* Plus the two constituencies for the Isle of Wight

20 In developing its proposals, the BCE allocates the specified number of constituencies within the relevant region and aims to produce initial proposals in which each constituency is wholly contained within a single region. This approach does not prevent anyone from putting forward counter-proposals that include one or more constituencies being split between regions, but very compelling reasons would need to be given to persuade the BCE to depart from the region-based approach it adopts in formulating its initial proposals. A description of the extent of each region appears at Appendix C, and maps can be obtained from Ordnance Survey (or viewed on the BCE website once proposals are published).

Establishing policy and procedure

- 21 In considering the procedures for a review, the BCE consults the Parliamentary political parties on broad issues of policy ahead of the review, in line with its usual practice. Minutes of the 25 February 2016 meeting conducted with the representatives of these parties are published on the BCE's website.
- 22 In formulating its initial proposals for particular areas, the BCE exercises its own judgement and does not consult the major Parliamentary political parties, local authorities or any other interested groups or people. The BCE considers that it should take the initiative in preparing its proposals from all the information available to it. The proposals are therefore formed by the BCE from a position of independence and impartiality and are not influenced by any particular viewpoint or opinion. Once the proposals are published, the statutory procedures allow for a public consultation and political parties and others can then make their views on proposed boundaries known to the BCE.

Developing proposals – requirements and policy

Statutory electorate range

- 23** The Act sets out a number of Rules in Schedule 2 which are relevant to the detailed development of proposals for individual constituencies.⁸ Foremost among these is Rule 2, which provides that – apart from four specified exceptions – every constituency must have an electorate (as at the review date) that is no less than 95% and no more than 105% of the ‘UK electoral quota’. The UK electoral quota for the 2018 Review is, to the nearest whole number, 74,769.⁹
- 24** Accordingly, every constituency in England must have an electorate as at the review date that is **no smaller than 71,031 and no larger than 78,507**.
- 25** The specified exceptions to this in England are the two constituencies on the Isle of Wight.¹⁰ However, in all other aspects of the 2018 Review, the Isle of Wight is treated in the same way as other parts of England.

Other statutory factors

- 26** Rule 5 in Schedule 2 provides for a number of other factors that the BCE may take into account in establishing a new map of constituencies for the 2018 Review, specifically:
- special geographical considerations, including in particular the size, shape and accessibility of a constituency;
 - local government boundaries as they existed on 7 May 2015 (see paragraph 16);
 - boundaries of existing constituencies; and
 - any local ties that would be broken by changes in constituencies.¹¹

Special geographical considerations

- 27** The BCE considers that special geographical considerations that may have an impact on the ability to form a constituency with an electorate within the statutory electorate range will primarily relate to physical geography such as mountains, hills, lakes, rivers, estuaries, islands, rather than to human or social geography. Matters of culture, history, socio-economics and other possible aspects of non-physical geography are more likely to arise as issues when considering the separate factor of ‘local ties’.

Local government boundaries

- 28** The BCE may take into account local government boundaries. These include both the external boundaries of local councils and their internal – ward or electoral division – boundaries.

- 29 While the BCE proposes to identify constituencies by reference to local authority external boundaries as far as practicable, it is nevertheless often necessary to cross these boundaries in order to form constituencies that comply with the statutory electorate range.
- 30 The BCE uses wards (in district and borough council areas) or electoral divisions (in areas of unitary authorities that have a county status) as the basic building block for designing constituencies. The use of the term ‘ward’ throughout the rest of this document should be taken to include electoral divisions in unitary authorities.
- 31 The BCE seeks to avoid dividing wards between constituencies wherever possible. Wards are well-defined and well-understood units, which are generally indicative of areas which have a broad community of interest. Any division of these units between constituencies would be likely to break local ties, disrupt political party organisations, and cause difficulties for Electoral Registration and Returning Officers. The BCE’s view is therefore that wards should continue to be the default building block for constituencies. However, the BCE recognises that in a few cases there may be **exceptional and compelling circumstances – having regard to the specific factors identified in Rule 5 – that may make it appropriate to divide a ward. Strong evidence and justification will need to be provided in any constituency scheme that proposes to split a ward, and the number of such ward splits should be kept to an absolute minimum. Examples of circumstances in which the BCE might propose splitting a ward could include: a) where all the possible ‘whole ward’ options in an area would significantly cut across local ties; or b) where splitting a single ward may prevent a significant ‘domino effect’ of otherwise unnecessary change to a chain of constituencies in order to meet the electorate totals requirement. Where the BCE does accept the need to split a ward, it will seek to do so along the boundaries of the polling districts that form part of that ward.**

Boundaries of existing constituencies

- 32 The BCE intends to have regard generally to existing constituencies as far as possible, as it does not consider that it would be appropriate to start from a ‘blank sheet of paper’. However, this does not mean that an existing constituency should be automatically considered to be ‘protected from change’, simply on the basis of its electorate figure already falling within the statutory range. 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.

Interplay of the considerations

- 33** The policy of the BCE is to take into account all the factors listed in Rule 5 as far as possible, subject to the primacy of the statutory electorate range under Rule 2.
- 34** The Act does not require the BCE to seek to achieve constituency electorates that are ‘as close as possible to’ the UK electoral quota. Nor does the BCE consider it appropriate to superimpose on the statutory scheme a policy objective of trying to minimise divergence from the UK electoral quota. Such an objective would undermine the ability of the BCE to take properly into account the factors listed in Rule 5 in accordance with the policy at paragraph 33 above. Therefore, by way of illustration, the BCE would prefer to identify a constituency that had, say, a 4% variance from the UK electoral quota, but which respected local ties, in preference to an alternative that produced a constituency with only a 1% variance, but which would split communities.
- 35** As far as possible, the BCE seeks to create constituencies:
- from wards that are adjacent to each other; and
 - that do not contain ‘detached parts’, i.e. where the only physical connection between one part of the constituency and the remainder would require travel through a different constituency.

Factors the BCE will not consider

Impact on future election results

- 36** The BCE is an independent and impartial body. It emphasises very strongly that existing voting patterns and the prospective fortunes of political parties should not and do not enter its considerations during a review.

New local government boundaries

- 37** The local government boundaries that the BCE may have regard to are – as stated above – those that existed on 7 May 2015. Consequently, the BCE will not generally take into account new boundaries that came into effect at local council elections in May 2016, or in subsequent years.
- 38** However, in the limited circumstances (if any) where the BCE has to consider whether it should divide a ward (as it existed on 7 May 2015) between constituencies in order to meet the statutory electorate range, and if so how it should be divided (which it will seek to do on the component polling district boundaries), the BCE is prepared to take into account as appropriate any new ward boundaries introduced after 7 May 2015.

Changes to electorates after the review date

- 39 The BCE is required to work on the basis of the numbers of electors on the electoral registers at the 'review date'. It is unable to take account of any under-registration or over-registration of electors that may be claimed in some areas.
- 40 However, the BCE does not take the view that it is obliged to shut its eyes entirely to growth (or decline) that has occurred since the review date, which it may be aware of from the annual updates of electorate figures it receives, or that it is satisfied is likely to occur. Such a factor may be taken into account in choosing between two or more competing options for the same area that satisfy the statutory rules.

Naming and designating constituencies

- 41 In making its recommendations, the BCE is also required by the Act to specify a name and designation for each proposed constituency. The Act contains no guidance on these points.

Naming

- 42 The BCE's policy on the naming of constituencies is that, when constituencies remain largely unchanged, the existing constituency name should usually be retained. In such cases constituency names are likely to be altered only where there is good reason for change.
- 43 Generally, the BCE considers that the name should normally reflect the main population centre(s) contained in the constituency, though if a suitable alternative name is proposed which generally commands greater support locally than that proposed by the BCE, it will usually be prepared to recommend that alternative.
- 44 The BCE adopts 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 to the county area or a local council, but a suffix where the rest of the name refers to a population centre. Examples of existing constituencies that demonstrate these principles are North Shropshire and Reading West.

Designation

- 45 The Act also requires that each constituency is designated as either a 'county constituency' or a 'borough constituency'. The BCE considers that, as a general principle, where constituencies contain more than a small rural element they should normally be designated as county constituencies. In other cases they should be designated as borough constituencies. The designation is suffixed to the constituency name and is usually abbreviated: BC for borough constituency and CC for county constituency
- 46 The designation generally determines who shall act as Returning Officer for Parliamentary elections. The Returning Officer in borough constituencies is a district council chairman or mayor. For county constituencies it is the high sheriff.
- 47 The designation also determines the limit on the amount that a candidate is allowed to spend during a Parliamentary election in the constituency. The limit is slightly lower in borough constituencies, to reflect the lower costs of running a campaign in an urban, usually compact, area.

Developing proposals – process

- 48 The BCE obtained the electorate figures from Electoral Registration Officers in local authorities, either directly, or indirectly through the Office for National Statistics. When all the figures had been received, the four Parliamentary Boundary Commissions agreed the UK electoral quota and the number of constituencies allocated to each part of the UK (see above for the actual figures that have been agreed for the 2018 Review).
- 49 As explained above, the BCE has allocated constituencies among the nine regions of England using the Sainte-Laguë method (explained on our website), and has determined that, in the absence of compelling reasons to the contrary, no constituency should cross a boundary between two regions.
- 50 The mandatory nature of Rule 2 in the legislation – concerning the statutory electorate range for constituencies – means that it will be necessary for constituencies to cross a number of external local authority boundaries, but the BCE has sought to minimise the extent to which this happens. Accordingly, as an aid to the process of constituency design at the sub-region level, the BCE has found it useful to use ‘groupings’ of two or more local authority areas, and to seek not to cross the boundaries between these groupings. The groupings used for the 2018 Review will be explained in the initial proposals.
- 51 Within each ‘sub-region’ grouping, the BCE identifies the appropriate number of constituencies to fit within the area that the grouping covers. This is done by dividing the total electorate within that grouping (as at the review date) by the UK electoral quota, with appropriate rounding applied to any fractions.
- 52 Taking into account all the considerations mentioned above and using wards as default building blocks, the BCE then works in detail on how to divide the sub-region into the relevant number of constituencies.
- 53 While the BCE uses a particular pattern of sub-regions for its initial proposals, this does not preclude an individual from submitting a counter-proposal during the consultation stage that is, for example, based on a viable alternative pattern of sub-region groupings.

Publication of initial proposals

- 54 When the BCE has decided on its initial proposals, it publishes information on its website (including a series of reports to explain the proposals), together with detailed information about how and when views on those proposals can be submitted. At the same time, it sends hard copies of the proposals to various local ‘places of deposit’, where the public may view the proposals.

- 55 The places of deposit where the public may inspect the proposals are usually the offices of the relevant local authority, although other places such as public libraries may be used instead. There will usually be one place of hard copy deposit in each proposed constituency (though some geographically large constituencies may contain more than one). A full list of where these are will be published on the BCE website at the same time as the proposals.
- 56 In addition to the initial proposals and its reports on them, in order to help the public better to understand the proposals, the BCE also places on deposit and on its website detailed maps showing, among other information, the name, designation and boundary of each proposed constituency.
- 57 To publicise the initial proposals, the BCE also notifies all interested parties (for example, local authorities, MPs, and academics) that it has published and is consulting on them. The House of Commons library also receives copies of the detailed maps. In advance of the information being sent out, the BCE also issues a press release about the initial proposals, the representation period and the subsequent procedures of a review.
- 58 Copies of the initial proposals, reports and accompanying maps, and all other material published by the BCE, are placed on its website – www.independent.gov.uk/boundarycommissionforengland.
- 59 For the 2018 Review, the BCE plans to publish its initial proposals in the week commencing 12 September 2016.

Initial consultation period

- 60 The new statutory framework sees a significant change in the consultation process. The 2018 Review is being carried out under a new procedure that relies on a combination of written representations and oral representations at public hearings. The previous practice of public inquiries was abolished in 2011 and replaced by shorter public hearings. These hearings are not inquiries, public meetings or debates, but are there to provide an opportunity both for the BCE to explain its initial proposals and for people to give their views on those proposals.
- 61 The BCE attaches just as much significance to representations made in writing and through its website as to those made orally at public hearings – the content of the representation is more important than the form it takes. There needs to be careful management of the conduct of the hearings, since they are strictly limited by statute to last for no more than two days each. However, if there is not time for someone who wishes to speak to say to the BCE everything they would like to, representations can still be made in writing within the 12-week consultation period.

62 Those who give their views – whether orally or in writing – are requested to say whether they approve of, or object to, the BCE’s proposals. In particular, objectors are advised to say what they propose in place of the BCE’s proposals. An objection accompanied by a viable counter-proposal is likely to carry more weight than a simple statement of objection. In this respect – and particularly in light of the importance of Rule 2 (statutory electorate range) – a counter-proposal setting out the composition of each constituency in an area will generally be viewed as more persuasive than a proposal for the composition of only one constituency which does not address any knock-on effects on the electorate figures of other constituencies.

Written representations

63 The BCE is required to consider all written representations made to it within a statutory 12-week period commencing with publication of the initial proposals. Details of how to make written representations, including the last date for receipt of representations, will be published alongside the initial proposals themselves. The BCE will be encouraging all interested parties to contribute views through its consultation website.

Public hearings

64 The BCE is required to conduct between two and five public hearings in each region of England. These must take place during weeks five to ten of the 12-week initial consultation period, so for the 2018 Review they are likely to take place between mid-October and mid-November 2016. The number of hearings in each region will be as follows:

Eastern	4
East Midlands	3
London	5
North East	2
North West	5
South East	5
South West	4
West Midlands	4
Yorkshire and the Humber	4

65 This distribution of hearings reflects the number of constituencies each region has been allocated. The details of locations and dates for the hearings will be announced on the BCE website in due course, and published again alongside the initial proposals themselves.

- 66 A public hearing is intended to provide an opportunity for people to make representations about any of the BCE's initial proposals for that region and to present any counter-proposals. Unlike the local inquiries of the past, a public hearing under the new statutory scheme is not intended to focus to any significant degree on comments about any counter-proposals that may be put forward by others, as this can be done in the secondary consultation period (see paragraph 74).
- 67 Presentations at each public hearing are likely to focus on proposals for the area closest to the location of the hearing, but this does not preclude giving a presentation that relates to any part of the region in which the hearing is located. However, a representation should not be made that relates wholly to another region.
- 68 Each hearing is chaired by an independent Assistant Commissioner selected by the BCE, who controls proceedings and may ask – or allow to be asked – questions of an individual giving a presentation. Questions should generally be asked through the Chair and should ordinarily be seeking clarification rather than trying to 'cross-examine' the speaker on their views.
- 69 Once details of the dates and locations of the public hearings have been published, individuals wishing to make an oral presentation at one of the hearings are encouraged to book in advance with the BCE. Details of how to book a speaking slot at a public hearing will be published alongside the initial proposals. At each 'lead' hearing – the first in the region – the five political parties with English seats in the UK Parliament will be offered a longer speaking slot at the start of the hearing to set out their proposals for the whole region. This longer speaking slot allows the political parties to address the whole region – it should be made clear that the BCE places no more weight on the representations from the political parties than from anyone else.
- 70 The BCE should make it clear that the duration of speaking slots is likely to be very limited, so presentations will need to be clear, concise and focused. Those intending to speak at a public hearing will also need to be reasonably flexible about when exactly they are asked to start and finish their presentation.
- 71 It will be for the Assistant Commissioner chairing the public hearing to decide when to call on speakers and the amount of time to be allocated to them. To aid the Assistant Commissioner in this task, it will be helpful if a synopsis or outline of the points the speaker wishes to make can be provided in advance. Guidance on how and when to do this will be published alongside the initial proposals.
- 72 The BCE encourages the use of visual aids during the making of oral representations at public hearings. The BCE will have a laptop and projector available at each hearing to provide for an electronic presentation using MS Office software (for example PowerPoint) or Google Apps (for example Google Slides). The BCE will also seek to facilitate the use of other visual aids as far as reasonably practical, where given sufficient notice.

- 73 Each public hearing will have a record taken of all the representations made, and any visual aids used at a presentation will be attached to that record on publication at the secondary consultation period.

Secondary consultation period

- 74 As soon as possible after the initial 12-week consultation on the BCE's initial proposals, the BCE publishes on its website all of the representations that it has received for each region (including the records of the public hearings). Once the representations have been published there is a further statutory four-week period during which people can submit to the BCE written comments on those representations it received during the initial consultation period, for example challenging or supporting assertions made in a representation. There are no public hearings at this stage.

Development of revised proposals

- 75 The BCE staff and Assistant Commissioners consider all the written representations received and oral representations made at public hearings in the initial consultation period, and all the written representations made in the four-week secondary consultation period. They then write a joint report on each region for the Commissioners, summarising and considering the representations and recommending whether – and, if so, how – the initial proposals for that region should be revised in the light of those representations. The Commissioners then consider each report and determine whether and to what extent revisions should be made to their initial proposals.
- 76 The BCE then publishes a report for each region stating whether or not revisions have been made to the initial proposals for that region. Alongside these reports it publishes all the written representations received during the four-week secondary consultation period.
- 77 If the proposals are revised, then the Act provides for a further period of eight weeks for written representations to be made to the BCE on the revised proposals for that region. There are no public hearings at this stage; nor is there a repeat of the four-week period for commenting on the representations of others.
- 78 Publication of any representations received during the eight-week consultation on revised proposals will take place alongside publication of the final report (see paragraphs 82 to 84).

The importance of participation

- 79** The BCE wishes to stress very strongly that any person or organisation interested in the proposals for their area is encouraged to exercise their statutory right to make written or oral representations to the BCE, whether for or against the proposals.
- 80** A particular problem is to elicit such a response at the right time. For example, in previous reviews there were several occasions when people who had not made known their support for the initial proposals were surprised when the BCE subsequently published revised proposals. It was only at that late stage that they then made known their support for the initial proposals, often in very large numbers.
- 81** Full and timely participation ultimately assists the BCE in gauging more accurately local opinion on its proposals, and consequently increases the likelihood that its final recommendations will be generally acceptable to the majority of those who will have to live and work with them.

Final recommendations and report

- 82** The BCE takes into consideration any written representations made in the eight-week consultation period about the revised proposals, and makes its final decisions about whether further modifications need to be made in light of those representations.
- 83** When the BCE has decided on its final recommendations for the whole of England, it then drafts and submits a formal written report to the Government. The report, which is also published, contains a description of the review in each region, a textual description of all the final recommendations, and a set of maps to illustrate the existing boundaries and those proposed by the final recommendations.
- 84** The submission of the formal final report concludes the review process. The procedure to implement new constituencies is the responsibility of the Government and Parliament.

After the final report

- 85 After the Government has received the final report of the BCE, it must lay it before Parliament.
- 86 Where a final report submitted by any of the four Parliamentary Boundary Commissions in the UK recommends alterations to existing constituencies, the Government must also lay before Parliament a draft of an Order in Council, giving effect to the recommendations in the report(s). In preparing that draft, the Government may not modify the recommendations of any of the Parliamentary Boundary Commissions, unless it has been expressly requested to do so (in writing and with reasons) by the relevant Parliamentary Boundary Commission.
- 87 The draft Order must be actively debated and approved (or rejected) by both Houses of Parliament. If the draft Order in Council is not approved, the Government may then amend the draft and lay an amended draft before Parliament for approval.
- 88 Once the Order in Council has been approved by Parliament, the Government is required to submit it to be made by Her Majesty in Council. After the Order in Council has been made, the new constituencies take effect at the next General Election. Any by-elections held in the meantime have to be held on the basis of the old (existing) constituencies. The validity of an Order in Council, once made, may not be called into question in any legal proceedings.

Conclusion

- 89 It is hoped that the information and explanations given in this Guide will fulfil the purpose set out in the Introduction, helping to clarify the process and policy for interested parties and encourage their informed participation, and thereby assisting the BCE in carrying out its work.
- 90 If any person has any suggestions as to how the Guide may be improved, whether by correction, clarification, addition or deletion or in any other way, please write to the Secretary to the Boundary Commission for England at the address given in the Introduction. The BCE would be pleased to consider any such suggestions for the production of a similar Guide in future reviews.

Appendix A

Who we are

Chairman

The Speaker of the House of Commons is the Chairman of each of the four Parliamentary Boundary Commissions. This is an ex officio appointment, and the Speaker generally plays no part in the substantive work of the Commission.

Three other members

- The Deputy Chair, who presides over the Commission's meetings, is the Hon Mrs Justice (Frances) Patterson, appointed in 2014. She was called to the Bar by the Middle Temple in 1977 and took Silk in 1998. She is a public lawyer who practised mainly in the field of planning and environmental law. She was appointed a Recorder in 2000, a Law Commissioner in 2010 and became a High Court Judge in October 2013. When at the Law Commission she led the project on the reform of electoral administration. She previously acted as an Assistant Commissioner for the BCE in 2005, during the Fifth General Review.
- David Elvin QC was appointed in 2009 and reappointed in 2014. He is a barrister, being a member of the Bars of both England and Wales, and Northern Ireland. He took silk in 2000 and became a Recorder in 2001 and a Deputy High Court Judge in 2008 (sitting in the Administrative Court). He is based at Landmark Chambers in London, with a specialism in planning, the environment, local government and property law (including aspects of human rights and EU law in these areas). He acted as an Assistant Commissioner during the Fifth General Review of constituencies.

- Neil Pringle was appointed in 2009 and reappointed in 2014. He was admitted as a solicitor in 1973 and subsequently held senior legal posts in local government. He has worked in a number of county councils and unitary authorities in England and Wales, including as Chief Executive in a county council and two unitary authorities. In the latter posts he gained extensive experience as Acting Returning Officer for Parliamentary elections.

Two assessors

(available to provide technical advice and support as requested)

- The Registrar General for England and Wales.
- The Director General of Ordnance Survey.

Secretary to the Commission

Sam Hartley, appointed in 2015 to lead the Secretariat in administering the 2018 review and generally supporting the Commissioners in their work.

Assistant Commissioners

Appointed by the Secretary of State, at the request of the Commission, to assist it in the discharge of its functions. The Commission requests the appointment of independent Assistant Commissioners to: chair the public hearings; work with the Secretariat in analysing the responses to consultations; and – based on that analysis – make recommendations to Commissioners as to what might be appropriate revisions to the Commission's earlier proposals for an area.

Appendix B

Contact details for other Commissions

The Local Government Boundary Commission for England

14th Floor
Millbank Tower
London, SW1P 4QP

Telephone: 0330 500 1525 (switchboard)

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The Boundary Commission for Scotland

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The Boundary Commission for Northern Ireland

(Parliamentary boundaries only)

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Web address:

www.boundarycommission.org.uk

For queries about local government boundaries in Northern Ireland, contact:

Local Government Policy Division,
Department of the Environment,
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Email: lgpd@doeni.gov.uk

Web address: <https://www.doeni.gov.uk/topics/local-government>

Appendix C

European Parliament electoral regions in England

The following is the list of unitary authorities and non-metropolitan county councils within each region:

East Midlands	Derby, Derbyshire, Leicester, Leicestershire, Lincolnshire, Northamptonshire, Nottingham, Nottinghamshire, Rutland.
Eastern	Bedford, Central Bedfordshire, Cambridgeshire, Essex, Hertfordshire, Luton, Norfolk, Peterborough, Southend-on-Sea, Suffolk, Thurrock.
London	The 32 London borough councils, plus the Corporation of the City of London.
North East	Darlington, Durham, Gateshead, Hartlepool, Middlesbrough, Newcastle-upon-Tyne, North Tyneside, Northumberland, Redcar and Cleveland, South Tyneside, Stockton-on-Tees, Sunderland.
North West	Blackburn with Darwen, Blackpool, Bolton, Bury, Cheshire East, Cheshire West and Chester, Cumbria, Halton, Knowsley, Lancashire, Liverpool, Manchester, Oldham, Rochdale, St Helens, Salford, Sefton, Stockport, Tameside, Trafford, Warrington, Wigan, Wirral.
South East	Berkshire, Brighton and Hove, Buckinghamshire, East Sussex, Hampshire, Isle of Wight, Kent, Medway, Milton Keynes, Oxfordshire, Portsmouth, Southampton, Surrey, West Sussex.
South West	Bath and North East Somerset, Bournemouth, Bristol, Cornwall, Devon, Dorset, Gloucestershire, Isles of Scilly, North Somerset, Plymouth, Poole, Somerset, South Gloucestershire, Swindon, Torbay, Wiltshire.
West Midlands	Birmingham, Coventry, Dudley, Herefordshire, Sandwell, Shropshire, Solihull, Staffordshire, Stoke-on-Trent, Telford and Wrekin, Walsall, Warwickshire, Wolverhampton, Worcestershire.
Yorkshire and the Humber	Barnsley, Bradford, Calderdale, Doncaster, East Riding of Yorkshire, Kingston upon Hull, Kirklees, Leeds, North East Lincolnshire, North Lincolnshire, North Yorkshire, Rotherham, Sheffield, Wakefield, York.

Appendix D

Rules for redistribution of seats (Schedule 2 to the Act)

- Number of constituencies**
- 1 The number of constituencies in the United Kingdom shall be 600.
- Electorate per constituency**
- 2 1) 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.
- (2) This rule is subject to rules 4(2), 6(3) and 7.
- (3) In this Schedule the “United Kingdom electoral quota” means—
- $$\frac{U}{596}$$
- where U is the electorate of the United Kingdom minus the electorate of the constituencies mentioned in rule 6.
- Allocation of constituencies to parts of the United Kingdom**
- 3 (1) Each constituency shall be wholly in one of the four parts of the United Kingdom (England, Wales, Scotland and Northern Ireland).
- (2) The number of constituencies in each part of the United Kingdom shall be determined in accordance with the allocation method set out in rule 8.
- Area of constituencies**
- 4 (1) A constituency shall not have an area of more than 13,000 square kilometres.
- (2) A constituency does not have to comply with rule 2(1)(a) if—
- (a) it has an area of more than 12,000 square kilometres, and
- (b) the Boundary Commission concerned are satisfied that it is not reasonably possible for the constituency to comply with that rule.
- Factors**
- 5 1) A Boundary Commission may take into account, if and to such extent as they think fit—
- (a) special geographical considerations, including in particular the size, shape and accessibility of a constituency;
- (b) local government boundaries as they exist on the most recent ordinary council-election day before 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.¹²
- (2) The Boundary Commission for England may take into account, if and to such extent as they think fit, boundaries of the electoral regions specified in Schedule 1 to the European Parliamentary Elections Act 2002 (ignoring paragraph 2(2) of that Schedule and the references to Gibraltar) as it has effect on the most recent ordinary council-election day before the review date.
- (3) This rule has effect subject to rules 2 and 4.

Protected constituencies

- 6 (1) There shall be two constituencies in the Isle of Wight.
- (2) There shall continue to be—
- (a) a constituency named Orkney and Shetland, comprising the areas of the Orkney Islands Council and the Shetland Islands Council;
 - (b) a constituency named Na h-Eileanan an Iar, comprising the area of Comhairle nan Eilean Siar.
- (3) Rule 2 does not apply to these constituencies.

Northern Ireland

- 7 (1) In relation to Northern Ireland, sub-paragraph (2) below applies in place of rule 2 where—
- (a) the difference between—
 - (i) the electorate of Northern Ireland, and
 - (ii) the United Kingdom electoral quota multiplied by the number of seats in Northern Ireland (determined under rule 8), exceeds one third of the United Kingdom electoral quota, and
 - (b) the Boundary Commission for Northern Ireland consider that having to apply rule 2 would unreasonably impair—
 - (i) their ability to take into account the factors set out in rule 5(1), or
 - (ii) their ability to comply with section 3(2) of this Act.
- (2) The electorate of any constituency shall be—
- (a) no less than whichever is the lesser of—
$$N - A$$

and 95% of the United Kingdom electoral quota, and

- (b) no more than whichever is the greater of—
$$N - A$$

and 105% of the United Kingdom electoral quota, where—
N is the electorate of Northern Ireland divided by the number of seats in Northern Ireland (determined under rule 8), and
A is 5% of the United Kingdom electoral quota.

The allocation method

- 8 (1) The allocation method referred to in rule 3(2) is as follows.
- (2) The first constituency shall be allocated to the part of the United Kingdom with the greatest electorate.
 - (3) The second and subsequent constituencies shall be allocated in the same way, except that the electorate of a part of the United Kingdom to which one or more constituencies have already been allocated is to be divided by—
$$2C + 1$$

where C is the number of constituencies already allocated to that part.
 - (4) Where the figure given by sub-paragraph (3) above is the same for two or more parts of the United Kingdom, the part to which a constituency is to be allocated shall be the one with the smaller or smallest actual electorate.
 - (5) This rule does not apply to the constituencies mentioned in rule 6, and accordingly—
 - (a) the electorate of England shall be treated for the purpose of this rule as reduced by the electorate of the constituencies mentioned in rule 6(1);

- (b) the electorate of Scotland shall be treated for the purposes of this rule as reduced by the electorate of the constituencies mentioned in rule 6(2).

Interpretation

- 9 (1) This rule has effect for the purposes of this Schedule.
- (2) The “electorate” of the United Kingdom, or of a part of the United Kingdom or a constituency, is the total number of persons whose names appear on the relevant version of a register of parliamentary electors in respect of addresses in the United Kingdom, or in that part or that constituency.

For this purpose the relevant version of a register is the version that is required by virtue of subsection (1) of section 13 of the Representation of the People Act 1983 to be published no later than the review date, or would be so required but for—

- (a) any power under that section to prescribe a later date, or
- (b) subsection (1A) of that section.

- (3) “Local government boundaries” are—
- (a) in England, the boundaries of counties and their electoral divisions, districts and their wards, London boroughs and their wards and the City of London,
 - (b) in Wales, the boundaries of counties, county boroughs, electoral divisions, communities and community wards,
 - (c) in Scotland, the boundaries of local government areas and the electoral wards into which they are divided under section 1 of the Local Governance (Scotland) Act 2004, and
 - (d) in Northern Ireland, the boundaries of wards.

- (4) “Ordinary council-election day” is—
- (a) in relation to England and Wales, the ordinary day of election of councillors for local government areas;
 - (b) in relation to Scotland, the day on which the poll is held at ordinary elections of councillors for local government areas;
 - (c) in relation to Northern Ireland, the day of an election for any district council (other than an election to fill a casual vacancy).
- (5) The “review date”, in relation to a report under section 3(1) of this Act that a Boundary Commission is required (by section 3(2)) to submit before a particular date, is two years and ten months before that date.
- (6) “The United Kingdom electoral quota” has the meaning given by rule 2(3).
- (7) A reference in rule 6 to an area is to the area as it existed on the coming into force of Part 2 of the Parliamentary Voting System and Constituencies Act 2011.

Appendix E

Glossary and abbreviations

Assessor	Statutorily appointed technical adviser to the BCE, being either the Registrar General for England and Wales or the Director General of Ordnance Survey.	Redistribution of seats	Re-division of a given area into new Parliamentary constituencies.
Assistant Commissioner	Independent person appointed at the request of the BCE to assist it with the discharge of its functions.	Representations	The views provided by an individual, group or organisation to the BCE on its initial or revised proposals, either for or against, including counter-proposals and petitions.
Borough constituency abbreviated to BC	Parliamentary constituency containing a predominantly urban area.	Review date	Proposals must be based on the numbers of electors on the electoral registers on this date. Defined in the Act as the date two years and ten months before the final report is to be submitted (i.e. 1 December 2015 for the review that is to conclude with a final report by 1 October 2018).
County constituency abbreviated to CC	Parliamentary constituency containing more than a small rural element.	Revised proposals	The initial proposals as subsequently revised.
Designation	Classification as either a borough constituency or as a county constituency.	Rules for Redistribution of Seats	The statutory criteria for Parliamentary constituencies under Schedule 2 to the Parliamentary Constituencies Act 1986 (as amended).
Electorate	The number of registered Parliamentary electors in a given area.	Special geographical considerations	Dispensation to depart from the strict application of other criteria for Parliamentary constituencies; includes size, shape and accessibility.
(Statutory) Electorate range	The statutory rule that requires the electorate of every constituency (as at the review date) to be within 5% of the UK electoral quota.	UK electoral quota	The average number of electors in a constituency, found by dividing the total electorate of the UK (less that of the four specific 'protected' constituencies) by 596.
Final recommendations	The recommendations submitted in a formal final report to the Government at the end of a review. They may – or may not – have been revised since the initial proposals in any given area.	Unitary authority	An area where there is only one tier of local council (above any parish or town council). Contrasted with those 'shire district' areas that have two tiers (i.e. both a non-metropolitan county council and a district/borough/city council).
General review	Major review of all Parliamentary constituencies in England at the same time. From 2011 all Parliamentary constituency reviews are general reviews.		
Initial proposals	First formal proposals published by the BCE during the review for public consultation.		
Periodical report	Report to the Government following a general review of Parliamentary constituencies.		
Public hearing	Formal opportunity in a given area for people to make oral representations, chaired by an Assistant Commissioner. In each region of England there may be no fewer than two and no more than five hearings, and each may last a maximum of two days.		

Endnotes

- 1** The BCE began a review under the new rules in 2011, known as the 2013 Review. The 2013 Review was ended by Parliament before the BCE completed the review. The 2018 Review is therefore considered the first review under the new legislation.
- 2** Available free of charge at 1:50,000 and 1:250,000 scale from customerservices@ordnancesurvey.co.uk or 08456 050505.
- 3** Rule 1 of Schedule 2 to the Act.
- 4** Rule 3 of Schedule 2 to the Act.
- 5** Rule 8 of Schedule 2 to the Act.
- 6** Rule 6 of Schedule 2 to the Act.
- 7** Rule 5(2) of Schedule 2 to the Act provides that the BCE may have regard to the European Parliament electoral regions.
- 8** Schedule 2 to the Act is set out in full in Appendix D.
- 9** According to Rule 2(3) in Schedule 2 to the Act, the UK electoral quota is: 44,722,004 (the UK electorate as at the review date) divided by 596.
- 10** Rule 6(3) in Schedule 2 to the Act.
- 11** A further factor – ‘the inconveniences attendant on such changes’ – is expressly excluded for the first review following the Act, but may be considered for subsequent reviews.
- 12** (e) does not apply for the first review to report after the 2011 Act, by virtue of section 11(2) of that Act.

