‘Far Too Elaborate About So Little’: New Parliamentary Constituencies for England

BY RON JOHNSTON, DAVID ROSSITER AND CHARLES PATTIE

Contact:

Prof Ron Johnston
School of Geographical Sciences
University of Bristol
Bristol BS8 1SS

R.Johnston@bristol.ac.uk
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ABSTRACT

New Parliamentary constituency boundaries for England were implemented in 2007. It took over six years for the Boundary Commission to produce its final recommendations, and the new constituencies – which will probably first be used at a general election in 2009/2010 – are based on electorate data for 2000; they will thus be seriously out-of-date by the time they are first used, and are likely still to be in place for at least one further general election (in 2013-2015?). A major cause for the extenuated process is the public consultation required under the relevant legislation. That consultation – although oriented to the general public – in effect involves little more than an invitation to the political parties to seek to influence the constitution of the new constituencies for their own electoral ends. A more streamlined system is proposed which removes that potential gerrymandering and would ensure that constituencies are not as outdated – and hence unequal in their electorates – as is currently the case.

Approximately once every decade the Boundary Commissions for England, Northern Ireland, Scotland and Wales undertake reviews of all Parliamentary constituencies within their respective countries, as required under the Boundary Commissions Act 1992. Until the fifth of those periodical reviews, these were not only undertaken contemporaneously but submission of the Commissions’ reports was coordinated and all four sets of recommendations were implemented at the same general election. This was not the case with the most recent review. The Scottish report was submitted in 2004 and the 2005 general election used the new constituencies (reduced in number from 72 to 59 because of a requirement in the Scotland Act 1998 that English and Scottish constituencies should be created using the same electoral quota). The Welsh Commission reported in late 2004 but its recommendations were not implemented in time for the 2005 election; the English Commission’s report was not submitted until late 2006 – the review having started more than six years previously; and the Northern Ireland Commission had still not reported at the time of writing.

Producing a new set of constituencies can take the Commissions a considerable period of time, as illustrated by the English Commission’s Fifth Periodical Review. Its Final Report indicates that it started considering that review in 1998, three years after its previous review had been implemented. It decided to begin its work formally after new electoral registers were published in February 2000 and ‘considered that a period of six years would be required to complete the review, which was based on the experience of the fourth general review’. It took even longer, with the final report being submitted to the Secretary of State for Constitutional Affairs in October 2006 and published in February 2007.
This paper evaluates the results of that review of English constituencies in the light of the legislative requirements and considers whether such a time-consuming procedure is either necessary or desirable. The new set of 533 constituencies (four more than previously) has been implemented in 2007, based on electorate figures relating to February 2000. They were thus some seven years old when introduced, and their definition took no account of population changes during that period, let alone any likely to occur in the near future. The first general election using them may not occur until mid-2010 at the latest when they will be a decade old and, as population movements are a major reason for having periodical reviews, there could be considerable variations in their electorates. As the *Boundary Commissions Act 1992*, Clause 2 (3) requires that a review be held ‘not less than eight or more than twelve years’ after its predecessor, another new set of constituencies may not be implemented until 2018, after at least one further general election. So constituencies based on electoral data referring to the year 2000 may still be in place perhaps as much as seventeen years later. Is this desirable?

In evaluating the outcome of that long review we pay particular attention to the lengthy public consultation process built-in to the Boundary Commissions’ procedures. We argue that this is dominated by political parties attempting to manipulate constituency boundaries to their own electoral ends, and that this should be eliminated – thereby speeding up the reviews. Alternative procedures applied elsewhere are then assessed.

**Defining constituencies**

Regular reviews of Parliamentary constituencies are undertaken to avoid constituencies varying substantially in their number of electors – and so causing inequalities in representation. The original legislation, the *House of Commons (Redistribution of Seats) Act 1944*, required reviews to be undertaken at intervals of not less than three and not more than seven years, approximately once every Parliament. This time period was soon considered too short, however, notably by MPs who wanted greater continuity in the territory that they represented, and was extended under the *House of Commons (Redistribution of Seats) Act 1958* to ‘not less than ten or more than fifteen years’. It was reduced by the 1992 *Boundary Commissions Act* to eight-to-twelve years.³

Although a major purpose of regular reviews – as in many other countries using a single-member constituency electoral system– is to reduce, if not remove, inter-constituency variations in constituency size, and so equalise representation, it is not the only one.⁴ Indeed, as made clear in a (disputed) 1982-1983 series of court judgements, it is by no means the dominant influence on the Boundary Commissions’ deliberations. The ‘Rules for the Redistribution of Seats’ set out in the Second Schedule of the *House of Commons (Redistribution of Seats) Act 1949* state as Rule 5 that ‘The electorate of any constituency shall be as near the electoral quota as is practicable’ – with the electoral quota defined as the country’s total electorate (not population) when a review commences (termed the ‘enumeration date’) divided by the current number of constituencies. But the preceding Rule (4) requires that constituencies shall not cross the boundaries of major local government areas, thereby creating a series of separate territorial containers within which the equality requirement has to be tempered, although Commissions have the power to depart
from that rule to ‘avoid an excessive disparity’ between either the electorate of one constituency and the quota or across the electorates of neighbouring constituencies. The legal decisions of 1982-1983 confirmed that Rule 4 has precedence over Rule 5.

*The House of Commons (Redistribution of Seats) Act 1958* further down-played the importance of electoral equality as a criterion for determining the map of new constituencies, allowing the Commissions to avoid ‘giving full effect in all circumstances’ to Rules 4 and 5. It stated that they ‘shall take account, so far as they reasonably can, of the inconveniences attendant on alterations of constituencies other than alterations made for the purposes of rule 4 of those rules, and of any local ties which would be broken by such alterations’ – which the later legal decisions indicated took precedence over the then rule 5. So, new sets of constituencies must be defined within the constraints of the local government map, and should be as equal as is practicable in their electorates, so long as changing constituency boundaries doesn’t create inconveniences and break local ties. As Sir John Donaldson noted in his 1983 judgment, this means that the periodical reviews are not ‘exercises in accountancy’ but rather procedures requiring the Commissions to balance subjective opinions on the relative importance of the various criteria.\(^5\) This remained the case in the *Parliamentary Constituencies Act, 1986* but both the Fourth and Fifth Periodical Reviews produced greater electoral equality than their predecessors.

The nature of the local government template within which the English Commission must work is now more complicated than when the Acts quoted above were passed. Under the 1986 legislation, in England the local government areas whose boundaries should be respected were the Counties and London Boroughs. Most of the counties were subdivided into second-level districts, whose boundaries were not mentioned in the Act (although the Commissions clearly identified them as important reflections of local community ties). In the early 1990s, however, the government partially moved away from this two-tier system by introducing unitary authorities which were separated from the Counties. This policy resulted in 46 unitary authorities – mainly large urban areas – being created.\(^6\) The legislation regarding Parliamentary constituencies has not been amended accordingly, however, so the Commissions are not required to take them into account (as similarly they are not required to take account of the division of the Metropolitan Counties into Metropolitan Districts – although they do). Nevertheless, the existence of Unitary Authorities is an indicator of separately-identified communities and, not surprisingly, the Commissions have taken them into account.

When approaching a review, therefore, the Boundary Commission for England must evaluate the current set of constituencies to ensure that it nests within the local government map and then consider both whether changes are needed because of size variations and whether alterations can be justified. A further aspect of the local government system also has to be taken into account. Throughout the sequence of six reviews undertaken since the 1944 Act, the Commissions have used local government wards as the building blocks for creating constituencies – even though they are not legally required to do so, save in the case of Northern Ireland. The Boundary Commission for England has frequently made clear that it does not divide wards between constituencies, and this was reiterated during the latest review. In its introductory booklet it stated that
The Commission use district wards (and electoral divisions in the Isle of Wight) as the smallest unit for designing constituencies and do not divide wards between constituencies. Wards are generally indicative of areas which have a community of interest and the local political party organisations are almost always based on them, or groups of them. Any splitting of these units between constituencies is therefore very likely to break local ties, disrupt political party organisation, cause difficulties for Electoral Registration and Returning Officers and confuse the electorate.7

This did cause the Commission some problems, set out in the introduction to its final report,8 but it sustained the policy, which it noted was agreed to by the political parties.9

If local government ward boundaries are changed, therefore, the Boundary Commission for England is required – under its own procedures – to take these into account and propose changes to constituencies, even if none are required under the other rules. This was the case with its Fifth Periodical Review. The Local Government Boundary Committee for England (now a statutory committee of the Electoral Commission) undertakes a rolling review of ward boundaries as part of its requirement to ensure equality of representation in local government. It was undertaking such a review, which it expected to complete in 2003-2004, when the Boundary Commission began its work. The latter … decided that it would be essential to base our recommended Parliamentary constituencies on the new local government wards in each area and, therefore, to plan our review to reflect progress with [that review of wards].10

This meant that the Commission could not commence work on any local government unit until the review of wards had been completed, and the sequence of counties and boroughs considered was determined by the publication of orders implementing new ward structures (the first – other than those for the Isles of Scilly, which were implemented in 1978 – appeared in 1998 and the last in 2004).11

Completion of a Periodic Electoral Review for a local government area by the Local Government Boundary Committee did not enable a review of Parliamentary constituencies to commence immediately. The Commission recorded in its meeting with the political parties in April 2000 that not only did it have to wait until the recommended wards were implemented through Orders in Council by the relevant government department but it also had to wait for: the new ward boundaries to be digitised by Ordnance Survey; the provision of electorate figures from the relevant local authority for the new wards at the 2000 enumeration date, meaning that many had to rework obsolete data; and putting these two sets of information into its own Geographical Information System. In total, this meant (BCE, 2007b, 144):

… a period of up to one year could elapse from the Local Government Commission submitting its final recommendations to the Secretary of State for new ward boundaries in any area, to those new wards being available to the Commission to work with in their Geographic Information System.12

Given that some new wards were not scheduled until 2004, and the Commission might take up to a year between the publication of its provisional recommendations for an area and its final recommendations, therefore, it is not surprising that a review begun in 2000 was not completed until late in 2006.
Procedures

A major reason why the Boundary Commission for England’s Fifth Periodical Review took almost seven years to complete is thus the need to integrate its work with that of the Local Government Boundary Committee for England. Even without that constraint, however, the review would almost certainly have taken several years, as did its predecessors, because of the procedures deployed.13

After the first two post-1944 reviews, MPs and others expressed concerns that there had been insufficient public consultation. The 1944 Act required the Commission to publish its provisional recommendations for any local government area ‘in at least one newspaper circulating in the constituency’, and to make those recommendations available for public scrutiny. It should allow one month for representations to be made and in taking these into consideration ‘may, if they think fit, cause a local inquiry to be held’ before producing final recommendations. Few inquiries were held. This was changed by the House of Commons (Redistribution of Seats) Act 1958 which made explicit that if ...

... the Commission receive any representation objecting to the proposed recommendation from an interested authority or from a body of electors numbering one hundred or more, the Commission shall not make the recommendation unless ... a Local Inquiry has been held.

Most sets of recommendations that proved objectionable were likely to trigger an Inquiry at which, according to the procedures adopted, the Commission neither defends its provisional recommendations (other than through a written statement introduced by the Assistant Commissioner holding the Inquiry) nor responds to criticisms of either its scheme or any alternatives presented there. The Inquiries just involve interested parties (not surprisingly, predominantly the political parties and their supporters) making their own cases and cross-examining each other’s. If, after the Assistant Commissioner’s report on the Inquiry has been received, the Commission revises any of its recommendations for the area (including a change to a constituency’s name), these too have to be published and are open to representations – which may trigger a further Inquiry (which did not occur during the Fifth Review in England).

Many more Inquiries were held after passage of the 1958 Act than previously: there were 66 during the Fifth Periodical Review, with only 15 of the 81 separate areal units considered not requiring one. As a consequence the procedure was elongated and more than a year elapsed between the publication of provisional and revised recommendations in most cases: the longest was from 23 September 2004 to 19 January 2006 in the case of Wakefield. Several months’ work within the Commission preceded publication of the provisional recommendations, and a further period was also required for representations to be made regarding the revised recommendations and consideration of these before a final statement that the Commission had closed its consideration of an area. A final decision for Wakefield was not announced until 10 May, 2006.

Structural considerations thus largely determined the length of time involved in the production of recommendations for new Parliamentary constituencies by the Boundary Commission for England’s Fifth Periodical Review, therefore. But what was the outcome; did it justify the amount of time involved?
The Fifth Periodical Review’s outcomes for England

The main purpose of a review, as discussed above, is to ensure that all constituency boundaries are aligned with the relevant local authority and ward boundaries and to ensure that within this constraint constituency electorates are as equal as is practicable – without stimulating too many inconveniences and broken ties. The Commission considers that ensuring alignment with ward boundaries is necessary, so no ward is split between two or more constituencies. Because of this requirement, only 55 of the 533 recommended constituencies were unchanged from the previous review.

Additionally, however, in about 140 other cases (it is difficult to be absolutely certain from the Commission’s descriptions of what was done), there were no changes other than those necessary to realign ward to constituency boundaries and in these relatively few people were moved from one constituency to another: Rallings and Thrasher’s calculations of the extent of change show that in addition to the 55 where there was no change there was another 139 where less than 5 per cent of the electorate had been moved.\(^14\) Some areas – Haringey and Islington in London, for example – had no change at all to any of their constituencies, and in others – such as Coventry, and Bedfordshire and Luton – the only changes involved realignment (which affected just 3,426 out of 415,299 electors in the former case). Elsewhere, however, there was considerable change.

Constituency size

The Commission’s main task with regard to electorate size is to ensure that all constituency electorates are as close to the electoral quota (69,935 for the Fifth Review) as is practicable. The ability to achieve this goal is a function of the electorate of the area concerned (or areas, as in some cases adjacent local government units are combined to promote equality) and the size of its building blocks. The Isle of Wight, which had an electorate of 103,480 on the enumeration date, presents particular problems: the Commission has never been prepared either to divide the island into two, relatively small constituencies (which would be closer to the electoral quota than a single constituency) or to split it and link some of its electoral divisions with mainland wards in Hampshire, Portsmouth or Southampton.\(^15\) But with that exception, extreme deviations from the quota are unlikely.

In its own summary of its work, the Commission indicates its degree of success in the search for greater electoral equality.\(^16\) In 2000, of the 529 existing constituencies only 399 had an electorate within 10 percentage points of the electoral quota (i.e. between 62,942-76,928). After its review, of the 533 recommended constituencies, 474 (89 per cent) were within that band. Further, whereas in 2000 64 constituencies had electorates more than ten percentage points above the quota and a further 66 more than the same margin below, after the review there were only 20 in the former band (none of them, apart from the Isle of Wight, more than 20 percentage points larger) and 39 with electorates more than ten percentage points below the quota (and none of them more than 20 points below). This, it is implied, represents considerable success in meeting the criterion: only one constituency had in excess of 10,000 more electors than the quota (the Isle of Wight), although there were ten whose electorates were more than 10,000 persons below the quota. (Five of them were in Greater London, indicative of problems caused by the relatively small size of the boroughs there. Two
others were in the Merseyside Borough of Wirral which it was provisionally proposed to link with the City of Liverpool, involving one constituency which crossed the River Mersey. This was strongly resisted in the representations and at the Inquiry, and so the borough was considered separately for the revised recommendations. With 22 wards to be allocated across four constituencies, this meant two constituencies with six wards each and electorates close to the quota, and two with only five each, having electorates some 12-13,000 below the quota. 

Electorates change during the redistribution procedure, but there are no requirements that this be taken into account: the enumeration date electorate is the only figure deployed. (Nor does the Commission take account of any projected population changes – to the extent that these are valid.\textsuperscript{17}) The Commission has published 2006 as well as 2000 electorates for its new constituencies, however.\textsuperscript{18} The mean for the 533 changed only slightly over the six years, from 69,407 to 69,713, but the standard deviation changed much more – from 4,683 to 5,392. Some constituency electorates had grown substantially – by a maximum of 18.41 per cent over the six-year period (South Suffolk, whose electoral roll increased by 11,069 persons) – while others had declined considerably – by 13.06 per cent in Preston (a loss of 8,298 electors).\textsuperscript{19} In all, 87 constituencies had electorates which deviated from the quota by more than 10 percentage points in 2006; there were 17 with electorates more than 10,000 below the quota and 11 with 10,000 or more above the quota.

The overall implications of these changes can be seen from Table 1, which compares the frequency distribution of the 529 constituency electorates at the 2005 general election with those of the finally recommended 533 constituencies in 2000 (the enumeration date) and 2006. Shown there are not only the usual summary statistics – mean and standard deviation, median and the upper and lower quartiles (in the shaded block), plus the maximum and minimum values, but also the electorates for the 5\textsuperscript{th}, 10\textsuperscript{th}, 90\textsuperscript{th} and 95\textsuperscript{th} percentiles, to give a clearer indication of the spread of values than shown by the most extreme pair only. The inter-quartile range (encompassing the fifty per cent of all constituencies closest to the median) for the ‘old’ constituencies in 2005 was 64,969-74,768 (9,799). This was reduced to 6,534 for the new constituencies using the 2000 electoral data, but by 2006 – perhaps four years before the next general election – this had increased to 7,223. If it were to continue to grow at a rate of some 115 per annum, then by the time of a hypothetical 2010 election it could be 7,683, only 2000 less than at the previous, 2005, election whose electorates were defined using 1991 data.

One feature of all of the redistributions is that there is greater variation in the finally recommended electorates than for those provisionally recommended; the representations acted on almost invariably result in greater rather than reduced variations in constituency electorates. The Fifth Review’s provisional recommendations had an average deviation from the quota of 5.01 percentage points (standard deviation, 3.97) whereas for the final recommendations the respective figures were 5.30 (4.16). The Fifth Review on average produced less variation from the quota than its two predecessors, but in all three cases the Commission was less successful in achieving electoral equality after it had consulted the public than it was beforehand. In making their cases to the Commission, the interested parties are more concerned with issues other than electoral equality – which is rarely the major rationale for an alternative configuration being proposed.
In the discussion so far, we have concentrated entirely – as does the Boundary Commission for England in its own evaluation of its work – on variations around the electoral quota. However, Rule 5 in Schedule 2 of the **Parliamentary Constituencies Act 1986** states that ‘the electorate of any constituency shall be as near to the electoral quota as is practicable having regard to rules 1 to 4’: Rule 4, referring to the local government boundaries, implies that this framework will at least to some extent impede that desideratum – with a further limb of Rule 5 allowing a variation from ‘the strict application of rule 4 if it appears … that a departure is desirable to avoid an excessive disparity between the electorate of any constituency and the electoral quota, or between the electorate of any constituency and that of neighbouring constituencies’ [our emphasis]. This final clause has increasingly been used by the Boundary Commission to justify grouping together adjacent London Boroughs for the allocation of constituencies, with a small number of constituencies (usually no more than one per pair of Boroughs) incorporating one or more wards from each of two Boroughs. For example, in the Fifth Review Barking & Dagenham Borough was combined with Havering. The former was entitled to 1.64 constituencies and the latter to 2.55, which if applied would have meant a total of five constituencies being allocated. Together, they were entitled to 4.19 constituencies and so the Commission allocated four, on the grounds that ‘the average would be much closer to the electoral quota than if both boroughs were reviewed separately’ and also allow it to meet, as far as possible, the requirement of Rule 1 with regard to the total number of constituencies.

Given this situation, and the virtual inevitability that local government areas will vary in their average constituency size because of their fractional entitlements to constituencies, it is desirable to evaluate the Commissions’ recommendations not only with regard to variations about the electoral quota but also about the average for the local government unit. For example, when Bexley and Greenwich Boroughs were paired and allocated five constituencies against a theoretical entitlement of 4.56 in the Fifth Review, the five provisionally recommended had an average electorate of 63,781, which is 6,154 (or 8.8 per cent) below the quota. The individual provisionally-recommended constituencies had electorates of 64,032, 64,907, 64,307, 60,473 and 65,186 – 8.4, 7.2, 8.4, 8.4 and 6.8 per cent below respectively. Relative to the local average, however, their deviations were only +0.4, +1.8, +0.8, -5.2, and +2.2 per cent respectively. The Commission felt it had to recommend five constituencies all of which were substantially below the quota, but which were nevertheless very similar in their size.

If we use deviation from the local average, either absolute or as a percentage, rather than from the electoral quota we get a clearer impression of how well the Commission has performed in getting constituencies as equal as is practicable taking into account all of the rules. Table 2 gives the relevant data (set out as is Table 1), comparing the two measures. It shows that the Commission was much more successful when deviation from the local quota is the criterion. Whichever point in the frequency distribution is considered, variation is much less around the local average than around the electoral quota: indeed, the figures for the lower quartile are approximately half the value for the local average than for the quota, a situation confirmed by the percentage deviation figures. With the local average as with the electoral quota, however, the same pattern occurs regarding changes between the provisional and the
final recommendations. After public representations have been considered, if the Commission makes changes they almost invariably involve somewhat greater variation about the norm.

As with deviations from the electoral quota, variations around the local mean will also change over time, as constituencies within each local area either grow or decline – it being very unlikely that all will either grow or decline at the same rate. Thus Table 3 presents the absolute and percentage deviations not only for the provisional and final recommended 2000 electorates but also for the 2006 electorates in the finally recommended constituencies. Not surprisingly, these indicate greater variation in 2006, though interestingly not for the minimum and maximum values. Nevertheless, as comparison with the data in the lower part of the table makes very clear, these variations around the local average in 2006 are much less than are those around the electoral quota.

Within the constraints of the local government map, therefore, the Commission is fairly successful at producing constituencies of similar size. In some cases where it is less successful this is because of problems with the number of constituencies: Wandsworth, for example, has 20 wards and an entitlement of three constituencies which meant two constituencies with seven wards each (with finally recommended electorates of 69,445 and 67,111) and the other with only six (59,331). Elsewhere, local geographical circumstances suggested the need for variation, as in Northumberland where the north and west of the county is much more sparsely populated than the remainder.

The Local Inquiries and the Revised Recommendations

A major feature of the periodical reviews of constituencies since the 1958 Act has been the greater volume of representations to the Commission following publication of its provisional recommendations, stimulating the subsequent holding of Local Inquiries. The Boundary Commission for England encourages representations – both positive and negative – through its publications, which include its introductory booklet and regular Newsletters. It received over 29,000 separate representations during the Fifth Review (substantially less than the 40,000 received during its predecessor), with some 54,000 signatures on the petitions received. All of these are summarised for the relevant local government area, and published prior to a Local Inquiry (if held), before which they are also available for public scrutiny. Such Inquiries were considered by the Commission (BCE, 2007a, 20):

… extremely effective in enabling public discussion about the issues and in informing us of local views. It is, however, sometimes difficult for us to obtain a true measure of local information and opinion especially where those who support or do not object to provisional recommendations do not make this known to us.  

The clear implication is that the procedures for making representations and holding Local Inquiries make a major contribution to the review process. In particular, they do so by concentrating on the local ties issue, which dominate much of the material presented to the Commission through these two media. (Although, as Chisholm and Dench’s review of the community identity literature for the Electoral Commission showed, communities are hard to identify ‘objectively’ for such exercises because
they ‘consist of complex patterns of personal inter-relationships and that much of this behaviour lies in what might be called the ‘private realm’, where it is not readily visible to the ‘public realm’. Partly for this reason, sociologists are reluctant to try to put spatial boundaries to communities’. This concentration on local ties is understandable: the Commission staff are unlikely to be aware of local social geographical detail when drawing up constituency boundaries, and so are likely to emphasise the size issue. The representations and Inquiries provide a counter to this, allowing local residents to point to relatively undesirable elements of recommendations, such as splitting established communities between constituencies. (The Commission’s practice – not followed in Scotland – is to appoint Assistant Commissioners who do not know the area covered.) Not surprisingly, therefore, as noted above, where the Commission does take account of local views and produces revised recommendations for an area this almost invariably involves greater variation in constituency electorates: those consulted are more concerned with the ‘organic’ aspects of constituency definition (ensuring the representation of separate communities) than the purely ‘arithmetic’.23

The representations and Inquiries during the Fifth Review provide evidence of individuals and community groups making such cases – some successful – to the Commission, but it would be a major error to assume that the consultation process largely involves the general public having its say on the recommendations. The entire procedure is dominated – in influence and outcome if not in terms of the numbers of representations and petitions (many stimulated by the main actors) – by the political parties, which the Commission consulted at the Review’s outset and whose representatives are thanked in the final report for

…ensuring that their parties consistently submitted relevant and timely written representations about our provisional and revised recommendations. They particularly assisted the efficient conduct of local inquiries by agreeing to submit their parties’ cases at pre-arranged times, supplying lists of their respective witnesses beforehand, marshalling those witnesses at the inquiries, and supplying sufficient copies of their and their witnesses submissions.24

In effect, the public consultation process is very largely an exercise in allowing the political parties to seek influence over the Commission’s recommendations – in which their sole goal is to promote their own electoral interests. They cannot deploy arguments which even mention those interests, and so they use a wide variety of ‘evidence’,25 largely deploying the rules concerning inconvenience and the breaking of local ties to promote their electoral cause. The Labour party invested a great deal of effort to this during the Fourth Review, out-maneuvering the Conservatives and achieving a number of changes to the provisional recommendations which worked in its electoral favour. The Conservatives matched them in their preparations for the Fifth Review, however, which undoubtedly meant that neither party gained a substantial advantage from their input to the Inquiries, but also that the entire procedure was probably extended as each sought to gain influence over the Assistant Commissioners’ considerations.

The public consultation procedure within the Boundary Commission’s reviews is thus, in effect, an invitation to the political parties to try and achieve the equivalent of a local gerrymander. But how much change does result? To what extent are the
provisional recommendations modified as a result of the representations and Inquiries?

The straightforward answers to these questions is ‘very little’ in the great majority of cases. Eleven separate Inquiries were convened in London, for example, with two of them covering a number of boroughs. (One covered eight separate boroughs, considered together either because two or more of them had been grouped by the Commission and included at least one provisionally-recommended constituency crossing a borough boundary or because a representation had been received suggesting that two or more be grouped.) Four of those Inquiries resulted in no change to the provisionally-recommended constituencies, and in one other the only change was to the name of a single constituency. Ten Inquiries were held in the six Metropolitan Counties: these resulted in no changes to the constituencies in seven of the boroughs (or groups of boroughs considered together by the Commission), and in two others the only change was to a constituency name. Finally, of the 45 Inquiries held in the Non-Metropolitan Counties (including the new unitary authorities), twelve resulted in no change to the provisional recommendations and in a further two the only changes recommended and accepted were to a constituency name.

In total, therefore, there were 66 Local Inquiries, nearly half of which resulted in no changes to the composition of the provisionally-recommended constituencies. This may be interpreted as indicating that the Commission ‘got it right’ with those provisional recommendations – or at least that nobody, including the political parties which were well-prepared to make cases for change, could convince the Commission, through the Assistant Commissioners, that there was a ‘better’ solution to the problem that they faced of balancing electoral equality, the breaking of community ties, and the inconvenience of alterations to the current situation. In a few cases they did convince the Assistant Commissioner but not the Commission, which rejected the former’s advice – in part if not entirely.

What of the other cases, where changes were proposed and accepted, leading the Commission to publish revised recommendations? In most, the changes accepted were very minor, affecting only a small proportion of the entire area. Among the Non-Metropolitan Counties, a substantial number of wards was moved from one constituency to another in just three cases – 28 in Devon (including the unitary authorities of Plymouth and Torbay), 14 in Derbyshire (including Derby), and 12 in Cornwall; in each the Commission had proposed an additional constituency, which necessarily involved substantial changes from the status quo. These three electoral maps were significantly redrawn as a result of the Inquiries, therefore, as local interests contested the Commission’s initial recommendations for a new configuration. Elsewhere, however, the amount of change following Inquiries was much smaller: indeed, in six cases only a single ward was moved from one constituency to another: there were three with only two being moved and seven with three. In total, of the 6,245 wards in the Counties where Inquiries were held, only 136 were moved between constituencies as a result of the public consultation. It was the same in the other parts of England: in London, of 586 wards only 34 were moved, as were 51 of the 874 wards in the Metropolitan Counties.

One could conclude from these data that the Boundary Commission was extremely successful in producing a provisional set of 533 Parliamentary constituencies which
was generally accepted. There were substantial debates about some of the recommendations. For example, a three-day Local Inquiry was held in Cumbria over the recommendations for six constituencies (the same number as previously). In response to the Assistant Commissioner’s report eight wards were moved between the provisional and revised recommendations, involving changes to all six constituencies, and this generated much further response (85 representations, a petition signed by 285 people, pro forma questionnaires from 216 individuals, and the results of a MORI poll of 204 residents of Keswick, which indicated considerable disquiet at the town being placed in the Whitehaven constituency). The conduct of the Inquiry was criticised, and it was claimed that the Assistant Commissioner’s recommendations were inconsistent with the evidence given. All of this was rejected by the Commission, and the revised recommendations were sustained.

An even longer Inquiry was convened to cover the three Metropolitan Boroughs of Kirklees, Leeds and Wakefield in West Yorkshire. The metropolitan county as a whole (also including the boroughs of Bradford and Calderdale) had 23 constituencies after the Fourth Review. Its Fifth Review entitlement according to its 2000 electorate was 22.4959 constituencies and the Commission decided to allocate 22, which it considered ‘would be likely to produce better individual constituency electorates than would the retention of the twenty-three constituency option’ (BCE, 2007a, 186). To achieve this it allocated 5, 2 and 4 seats respectively to Bradford, Calderdale and Kirklees Boroughs, and paired Leeds with Wakefield with one provisionally-recommended constituency out of 11 incorporating wards from both. (Kirklees and Wakefield had been combined in the Fourth Review.) This generated very considerable opposition, with counter-proposals from the Labour party and individuals associated with it, arguing that Kirklees, Leeds and Wakefield should together be allocated 16 rather than 15 constituencies. Their particular concern was the proposed abolition of the existing (safe Labour) Normanton constituency, held by Ed Balls MP, a close ally of the Chancellor of the Exchequer. (Their 23-seat proposal included a Normanton constituency with 58,959 electors, which would have been one of the smallest in the country; the provisionally-recommended new seat containing Normanton – provisionally named Pontefract and Castleford but changed to Normanton and Pontefract in the revised recommendations – had a 2000 electorate of 78,641.) Against this, the Assistant Commissioner reported that the Conservative and Liberal Democrat parties both supported the Commission’s recommendation of 22 seats, as did Leeds City Council and Kirklees Metropolitan Borough Council (although Leeds City Council Labour Group favoured the 23-seat solution).

The case for 23 seats was in part based on use of the harmonic rather than arithmetic mean in the determination of the number of seats to be allocated. The Commission had recognised that application of the harmonic mean results in smaller deviations from the electoral quota (its then Deputy Chairman wrote a note on the issue in the Third Periodic Review final report) and identified 13 areas where it might have been applied in the Fifth Review. It was deployed in only one, however, on the grounds that to apply it in all cases would have meant another 12 seats being created, and Rule 1 specifically seeks to limit the number of constituencies in Great Britain to no more than 613 (with 59 constituencies in Scotland, 40 in Wales, and 18 in Northern Ireland, this suggests 496 for England, and the Commission recommended 533).
Other arguments centred on the breaking of local ties which would result from abolition of the Normanton seat, which Iain McLean linked to the number of constituencies issue, claiming that it would involve ‘the infliction of very considerable inconvenience and the breaking of numerous and deep ties which are mandatory considerations under Rule 7’.  The Assistant Commissioner considered that in this claim he had ‘taken too literalist an approach to the Rules’, which allow the Commission latitude in its interpretation. There was also considerable debate about post-2000 changes in the registered electorate, the Assistant Commissioner noting that although ‘there is no statutory requirement to take it into account likewise there is no statutory requirement to ignore it’. She decided to reject the numerical argument in favour of one based on local ties and inconvenience. A great deal of evidence had been cited in favour of retaining a separate Normanton seat rather than include the town with Pontefract and Castleford (although the Assistant Commissioner notes that this was all secondary evidence that ‘relied on third parties’). This was accepted and the Assistant Commissioner recommended the 23-seat scheme proposed by the Labour party – but said that it was a ‘finely-balanced’ decision. The Commission rejected it: a 22-seat scheme was published as the revised recommendations, with no changes to the provisionally-recommended seats in Kirklees nor to the eleven in Leeds and Wakefield combined, save for the name of one constituency. Further representations were received (159 letters, 151 proformas, and 3,352 signatures on petitions) but rejected. In response, the Commission argued strongly for the arithmetic resolution: ‘the reduction of one constituency in West Yorkshire … would assist us in meeting the requirements of Rule 1 [regarding the total number of seats]’ and ‘whilst the breaking of some local ties was unfortunate, it was a necessary consequence of achieving the significant improvements to the electoral figures’.

The West Yorkshire case very clearly illustrates the importance of electoral politics in responses to the Commission’s provisional (and sometime also its revised) recommendations. Where the balance of party representation could well be disrupted by the proposals (in this case, the elimination of a ‘safe seat’ for one political party), substantial numbers of representations and debate are likely. These may be very localised, focusing on one or two wards only whose constituency location could considerably influence one or more parties’ electoral prospects.

In areas where a single party dominates, however, there is little to be contested electorally and much of the discussion can focus on local issues as the parties have no major electoral goals to promote. In Wiltshire, for example, there was discussion of the removal of wards from the large Salisbury constituency – the local MP said in his oral evidence that he did ‘not wish to lose a single elector from the constituency’ but accepted the ‘absolute inevitability of the restructuring’: he gave a long historical account of the constituency, before concluding that:

It is not in my nature to resist sensible reform. If it is the judgment of those charged with the care of our democracy that what is proposed is in the national interest, then, provided they will give due consideration to our requests, so be it.

There was some debate over a small number of wards in other parts of the county – the Liberal Democrats hoped to capture one of the seats there – but the electoral issues were of a low order and only one change was made, moving a single ward back into the Salisbury constituency (undoubtedly sensible given the community ties there in the valley of a river that flows towards Salisbury).
In his response to a survey relating to the Fourth Periodical Review, one English MP responded to a question regarding the Commission’s work in his area that:36

Although I was unhappy with the conclusions, I have no complaints about the way they performed their role. I certainly can’t complain that we were short-changed given the lengthy and elaborate inquiry. However, the process is far too elaborate. We have this enormous and elaborate Commission and Inquiry structure all about so little. Only in public life would you get that.

He continued, with reference to the Local Inquiry:

I attended parts of the Inquiry and he [the Assistant Commissioner] was absolutely fine. To criticise him would be a bit like complaining that the second violin was out of tune as the Titanic sank. It was typical English law – desperately polite, wonderfully open. But what is this all about – it’s impeccable but wrong.

This is, of course, neither the first nor the last critique of the Boundary Commissions and how they operate. For example, as part of its Review of the Electoral Commission the Committee on Standards in Public Life commissioned a report on the Boundary Commissions and the redistribution of seats from David Butler and Iain McLean,37 which led the Committee to recommend that the current legislation be reviewed, including the issue of the ‘time taken to conduct reviews’.38 Butler and McLean – production of whose report included a consultation process involving the Boundary Commission secretariats, the political parties, and academics – focused on the rules governing the redistribution process, and included a draft set of new rules which would remove some of the current anomalies and contradictions and give clearer guidance on Local Inquiries. On the latter, they suggested the following:

1. Publication of provisional recommendations inviting representations within three months. (The current period is one month. The Boundary Commission had previously recommended two months, but the legislation was never amended. The 2004 Cabinet Office Code of Practice on Consultation recommends a minimum period of twelve weeks.39);
2. Where the volume of opposition requires it, holding a local Public Inquiry (perhaps for a group of adjacent authorities), with the Assistant Commissioner reporting within three months of its closure; and
3. Publication of any revised recommendations within two months of receipt of the Assistant Commissioner’s report.

This would eliminate the call for representations after publication of revised recommendations and slightly accelerate the process, but no more. Implementation of such recommendations would certainly produce a considerable improvement on the current situation: however, give that a core argument here is that the political parties in effect hijack the public consultation process for their own electoral ends, even greater improvement could be achieved by more radical changes still.

But are Local Inquiries necessary? Are they really, as the Commission claimed, ‘extremely effective in enabling public discussion about the issues and in informing us of local views’ when, as clearly expressed at the Bristol Local Inquiry, many of the representations apparently emanating from the ‘general public’ are in fact elements of party strategies that are centrally-driven and take little account of grassroots interests – where activists are crucial to the sustenance of local democracy?40 There can be no
doubt that occasionally a Boundary Commission does make a major error in its
determination of constituency boundaries – either breaking important local ties or
grouping together areas with little in common (such as the proposed constituency
linking parts of Liverpool and Wirral, crossing the River Mersey), which is likely to
incense some local opinion. But these are few, and could be corrected through a
process in which Local Inquiries were rare rather than the norm. There are other –
minor – errors (such as the location of the ward returned to Salisbury in the revised
recommendations for Wiltshire discussed above), which could readily be rectified by
a much less time-demanding process that eliminates the need for Inquiries.41

In most cases, the breaking of local ties and/or the creation of some inconveniences as
a result of changing the constituency map are of little import. They are of relevance to
Parliamentary representation and Parliamentary representation only, and there can be
very few cases where the electorate in one part of a constituency can claim that they
are poorly represented by their MP because they have little in common with the
electors who occupy the other parts: it is accepted that most MPs do an excellent job
in hearing and representing cases from all their constituents. Nothing else matters; the
definition of Parliamentary constituencies has no impact on future local government
reorganisations, for example. It is a stand-alone exercise.

Where there is a large volume of representations these are usually stimulated by a set
of provisional recommendations which potentially could have significant electoral
impacts (e.g. result in a party losing/gaining a seat) – and these are most likely to
occur in areas where either an additional seat is recommended (Devon in the Fifth
Review) or the number of seats is to be reduced (West Yorkshire). The political
parties involved mobilise support against the recommendations around a variety of
reasons and develop alternative schemes which better suit their electoral goals. A
lengthy Local Inquiry almost invariably follows – with detailed cross-examination of
‘witnesses’ (in some cases casting doubt on their bona fides) producing the equivalent
of an adversarial courtroom rather than an elucidation of the public view.

Local Inquiries are not necessary to the redistribution process conducted by the
Boundary Commissions.42 As this evaluation of the Boundary Commission for
England’s Fifth Periodical Review has shown, most of the Inquiries resulted in very
few (in some cases no) changes to the provisional recommendations: considerable
amounts of time and public money were expended to no other end than to indicate
that, within the rules that it has to operate, the Boundary Commission gets it more or
less right, most of the time – or at least that no convincing arguments are presented
that stimulate them to make major changes. A few of the Inquiries did tackle larger
issues and some resulted in substantial changes to the provisional recommendations.
But most of the arguments presented there were politically motivated and, if change
resulted, it was because one of the parties was able to convince an Assistant
Commissioner that there was a slightly better way of dividing up an area so as to
sustain local ties and not inconvenience people – and (though it couldn’t mention it)
was more likely to lead to it winning a larger number of those constituencies! Is such
an extensive, expensive procedure necessary for such ‘pseudo-gerrymandering’?

If Local Inquiries were eliminated, save in exceptional circumstances then the whole
process could be speeded up quite considerably. (An independent panel might be
convened to determine when those occurred; a situation as in Scotland’s Fifth
Periodical Review which reduced the country’s number of MPs from 72 to 59 and therefore significantly altered virtually the whole of the electoral map would be a clear case for an Inquiry should there be many representations.) In New Zealand, the Representation Commission announced that it would start its quinquennial review of constituencies there (linked to the country’s regular sequence of censuses) on 26 March, 2007, with a completion date on 26 September of the same year for gazetting the final decisions (which do not have to be placed before Parliament). Its provisional recommendations were available on its website within five weeks of the starting date (with all constituencies having populations within five percentage points of the relevant quota); a month was then allowed for public objections and submissions, with a further month for counter-objections. These were to be considered, a public inquiry held in July, and a final report delivered by the end of September. Of course, New Zealand has only 69 constituencies to be defined and this time period is clearly impossible for a country with nearly eight times as many.

But the period that a Periodical Review takes, particularly a review by the Boundary Commission for England, could be much reduced if a major change was made to bring it in line with New Zealand practice. The New Zealand Representation Commission is chaired by a judge nominated to the Governor-General by the other members, four of whom are ex-officio (and one of whom has no vote); the two others are appointed, one by the government and the other by the opposition parties. Thus the political battles over boundaries are fought out in the Commission’s original deliberations, which means that they are then excluded from the representations that come from the general public. A similar situation occurs in some parts of the United States, where a number of states (including Hawaii, Idaho, New Jersey and Washington) have established bipartisan commissions to undertake the decennial redrawing of Congressional Districts, largely to avoid the claims of gerrymandering favouring one party that have characterised most redistricting exercises in recent decades. Such commissions are likely to deploy strategies which create safe districts for as many incumbent legislators as possible, however, thereby reducing the number of relatively marginal constituencies and the chances of an election resulting in a major change in the balance of representation across the parties: indeed, McDonald identifies this as the outcome in each of the states where bipartisan commissions operated during the 2001-2002 redistricting.

If such a system were acceptable it may have to be modified slightly in the UK context. It may be necessary to have more than two political appointees on the Commissions – with variations to represent differences in the party systems in the four constituent countries. And unless the English Commission was provided with a very large, skilled, staff for a relatively short period it would be necessary to split the work – perhaps into eight or nine regions. But removing the immensely time-consuming need for Local Inquiries could cut the length of a review very considerably – perhaps to no more than three years.

If it is considered undesirable to have political parties represented on a bi(multi)-partisan commission, an alternative is to continue with a non-partisan commission (as is the case in Australia) – but dispense with the time-consuming, largely irrelevant Local Inquiries. As argued here, most of those Inquiries during the last three periodical reviews have been used by political parties seeking to advance their electoral causes – and in most cases they have failed to convince the Assistant
Commissioners and then the Commission itself that their arguments, almost invariably constructed using cases relating to local ties and community identity, are valid. They may be in a few cases, as might some of the arguments raised by local communities not concerned with partisan loss and gain (and these are very few simply because the Commissions’ recommendations rarely attract the interest of local groups other than those associated with the political parties). But in a country with more than 500 constituencies, the number of ‘serious errors’ made by a Commission is likely to be few and implementation of their recommendations is unlikely to have any serious impact on either the quality of the representation of any area or the partisan balance in the House of Commons. (Recall that the Labour party’s massive investment in seeking to influence the Commissions’ Fourth Periodical Review probably only resulted in some twelve electoral gains through changing the provisional recommendations.\textsuperscript{50}) If political parties were concerned that a Commission’s recommendations were biased against them, forwarded after receiving public representations regarding their provisional proposals, then they would have the opportunity to do so when they were laid before Parliament.\textsuperscript{51}

One of the major consequences of any reduction in the length of time taken for a Boundary Commission Periodical Review would be that the substantial variations in electorate size resulting from the ageing of a set of constituencies could be considerably reduced. For example, the Boundary Commission for England was constrained by the review of ward boundaries being undertaken by the Local Government Boundary Committee for England, which ended in 2004. If it had started its work then, using February 2004 as the enumeration date,\textsuperscript{52} it could reasonably have completed the review by mid-2007 if a timetable similar to that employed in New Zealand were adopted for each of nine regions: a similar timetable should not be problematic for the other three Commissions. (This assumes that any local government ward boundary reviews there were on a comparable timetable – although the experience of the Fifth Periodical Reviews is that the Commissions need not report at the same time, and changes to constituency boundaries – and indeed the number of MPs from each country – need not occur at the same election.) The new practice of both the English and the Welsh Commissions of conducting interim reviews after completion of their Fifth Periodical Reviews to take account of subsequent changes of local government ward boundaries indicates an apparent willingness to keep boundaries under continuous review – though this may not be acceptable to political parties and MPs if it becomes common and potentially very disruptive.\textsuperscript{53}

Under this proposal, an election held in 2009-2010 could have been based on constituencies defined using data only 5-6 years old, rather than 9-10 as in the current situation. There would then probably be only one further election before another review, started in 2014, was completed. Over a long period it is unlikely that any new set of constituencies would be in place for as much as four years before the first election based on them, using electorate data that would by then be perhaps seven years old. With reviews every ten years, most would be followed by an election within 2-3 years. The major variations in constituency electorates would thus be removed for most elections and the expensive – of time, money and effort – Local Inquiry procedure would be largely eliminated. Even so, the procedure would be much slower than those employed in the USA (where the process of redistricting is highly politicised and there is much public involvement in many states), Australia and
New Zealand not to mention in nineteenth- and early-twentieth-century Britain. And the UK would still have much greater variation across its constituencies than in any of those countries: the maximum allowed variation in New Zealand is 5 per cent; in Australia, the tolerance is 3.5 per cent, three-and-a-half years after the redistribution process is completed (and there is a redistribution every seven years); whereas in the USA the result of several decades of litigation is that variations as little as 1 per cent are difficult to sustain. In all three countries redistributions are based on population data rather than registered electors, and their timetables are tied to the regular censuses (indeed, in the USA the allocation of House of Representatives seats across the States is a major rationale for the census).

Conclusions

The procedure for defining and redefining Parliamentary constituency boundaries in the United Kingdom is not fit for purpose. It is very time-consuming and expensive and produces outcomes that are so out-of-date before they are implemented that it fails to meet one of its major requirements of producing constituencies with (relatively) equal electorates. In particular it incorporates a procedure for public consultation which is, in effect, little more than an invitation to the political parties to seek to manipulate the recommendations for their own electoral purposes. This could be ended if political parties were represented on the Commissions and Local Inquiries were needed (probably on a regional basis) only where considerable public disquiet is expressed about some aspects of the recommendations (always assuming that representations that were in effect on behalf of the political parties – who had ‘lost out’ during the Commission’s deliberations – were excluded). Alternatively, and perhaps more realistically, the Commission could remain a non-partisan body but the holding of Local Inquiries could be eliminated (save in exceptional circumstances), with written representations being sufficient as a means of local opinion being presented to the Commission (perhaps with Assistant Commissioners being appointed to sift those representations on the Commission’s behalf). As it currently stands, however, a procedure established under the aegis of the Representation of the People Act operates, in effect, as a means for seeking to maximise the representation of the political parties.

One of the potential difficulties facing a Commission undertaking a review involves changes to local government maps – either of the local government units identified in the Act themselves or of their component areas (wards) used as the building blocks for constituencies. This clearly delayed the English Commission’s work during the Fifth Review, as it did also the Northern Ireland review. Coordination of local government ward and Parliamentary constituency reviews should eliminate this. Indeed this could happen, but the 2007 Committee for Standards in Public Life’s review of the Electoral Commission recommended repeal of the provision in the Political Parties, Elections and Referendums Act, 2000 that the Boundary Commissions’ functions be transferred to the Electoral Commission (which already encompasses the Local Government Boundary Committee for England). Instead it proposed that the Electoral Commission play no part in boundary drawing at any scale, and that Parliamentary and local government boundaries be drawn up by independent bodies established by statute, though with joint secretariats in each country to facilitate coordination of their work.
Both Butler and McLean’s ‘trenchant’ report on the work on the Parliamentary Boundary Commissions and the report of the Committee on Standards in Public Life which it informed pressed for substantial changes in the means of defining Parliamentary constituencies in the UK. Indeed the latter identified a strong case for reviewing the current legislation in the wake of a ‘thorough review of the rules … Failure to take this opportunity could cause the continuation and deepening of these problems in our electoral boundaries’:

The identified problems were – continued increase in the size of the House of Commons; ‘inbuilt progressive inequality of electoral quotas which over time will significantly erode equal representation’; unnecessary delays in the review process; a lack of careful sequencing of parliamentary and local government boundary reviews. In this paper, we have offered contributions to such a consideration of the Boundary Commissions, going beyond the rules that govern their work in suggesting ways of tackling one of those problems – the time taken over reviews – by removing the implicit political element to the public consultation stage and so improving on the outcomes. The UK has much to learn from its former dominions and colonies in this regard.

1 In the Commission’s Annual Report for 2006-2007 a letter from the Deputy Chairman to the Secretary of State, dated 16 May, 2007, reports that ‘The Local Government Boundary Commissioner recently published recommendations for restructuring local government districts in Northern Ireland and their constituent wards. It is important for the organisation and conduct of elections and to avoid confusion among voters that elections in Northern Ireland are conducted on common ward boundaries. Accordingly, the Commission placed under review their published [May 2006] Revised Recommendations and will shortly decide how best to bring a speedy conclusion to their present review’. The Commission’s website (http://www.boundarycommission.org.uk/; the Annual Report referred to here is available on that website) in early September 2007 carried the message ‘Fifth Review of Parliamentary Constituencies. Latest Developments. The Commission are to defer consideration of revised constituency boundaries’.


3 A full discussion of these changes can be found in D. J. Rossiter, R. J. Johnston and C. J. Pattie, The Boundary Commissions: Redrawing the UK’s Map of Parliamentary Constituencies, Manchester University Press, 1999.


5 1983 2 W. L. R. 484


11 A full list is in Boundary Commission for England Fifth Periodical Report Volume 2 Appendices. London: The Stationery Office, Cm 7032, 2007, pp. 4-23. Local government reviews continue, however, and in July 2007 the Commission announced that it was undertaking further, interim, reviews of the boundaries of nine constituencies (across four counties) to bring them in line with new ward boundaries: in Northamptonshire, this involves moving 1,834 electors between two constituencies; in Northumberland, moving 1,237 between three; in Somerset, moving 1,796 between two; and similarly in Wiltshire, moving 1,015 between two constituencies
Note that nineteenth century Commissions took nothing like as long. Under the *Redistribution of Seats Act 1885*, three-person Commissions were established for each of England & Wales, Scotland, and Ireland to define the boundaries of the new constituencies. Aided by officials and Assistant Commissioners who knew the relevant areas, they toured the country and held numerous public meetings at which local authorities were invited to present schemes. The Commission for England and Wales started its work on 29 October 1884, held 81 meetings between 11 November and 5 February 1885, and reported on 11 February 1885. The membership of those Commissions and their working practices were the basis for the work of later Commissions established under the *Representation of the People Act*, 1917 – which took even less time; the England and Wales commission started work in May 1917, held 120 Local Inquiries relating to 465 constituencies, and reported on 27 September, 1917 – and the *House of Commons (Redistribution of Seats) Acts, 1944 and 1949*. Rossiter, Johnston and Pattie, *The Boundary Commissions*.


Use of the harmonic mean – on which see note 29 – would allocate the Isle of Wight two seats.


It is usually assumed that population decline occurs in inner city areas and growth in smaller towns and the countryside, but two of the constituencies experiencing most growth over this period were in east London: East Ham (12,710 electors) and nearby Poplar and Limehouse (9,885). Such change may indicate a reversal of the long decline in inner London’s population but it might reflect, at least in part, greater numbers of people registering as electors in an area dominated by people of Bangladeshi ethnicity.


As illustrated in Rossiter, Johnston and Pattie, *The Boundary Commissions*.


The ‘existing’ Normanton seat was created by the Third Periodic Review, when the original recommendation of 22 seats for West Yorkshire (against a theoretical entitlement of 22.92) was changed to 23 after the Local Inquiry: Rossiter, Johnston and Pattie, *The Boundary Commissions*, p. 169.


On which see I. McLean and R. Mortimore, ‘Apportionment and the Boundary Commission for England’, *Electoral Studies*, 11, 1992, 293-309: Iain McLean gave evidence on this point to the Inquiry on behalf of Wakefield Metropolitan District Council. Under the arithmetic mean, the number of seats allocated is the area’s electorate divided by the electoral quota and rounded to the nearest integer. Under the harmonic mean, the rounding takes place at a figure below 0.5, depending on the nearest integer number. Thus with a quota of 50,000 and an electorate of 74,000, the entitlement is to 1.48 seats which would be rounded to 1; the one seat allocated would be 24,000 voters from the electoral quota. However, if the harmonic mean were applied two seats would be allocated; if each had 37,000

For more details see http://www.ncsl.org/programs/legisgmt/redistrict/com&alter.htm


New Zealand has an MMP electoral system, Two parties predominate in the constituency component, and most of the other parties which have won membership of the House of Representatives at elections held under the system did so through the national party list. Constituency boundary definition is of little issue to them, therefore, and they are content to leave this to the two large parties. Interestingly, this process was established in the Electoral Act 1993, passed before the change from a first-past-the-post to an MMP electoral system. See Beever ‘The new game with the old rules’.
M. Maley, T. Morling and R. Bell, ‘Alternative ways of redistricting with single-member seats: the case of Australia’, in I. McLean and D. Butler, editors, *Fixing the Boundaries*, 119-146. The Electoral Commission for each state or territory must hold a public inquiry to consider all objections ‘unless it is of the opinion that the objection deals with matters which were considered in an earlier submission of comment, or is vexatious or frivolous’: AEC Research, *Australian Federal Redistributions 1901-2003*. Canberra, Australian Electoral Commission Research Report 4, 2004, p.10.

Rossiter, Johnston and Pattie, *The Boundary Commissions*.

Opposition parties may claim this denies them the opportunity to reject a set of recommendations favouring the incumbent government, although safeguards could be built in to the voting procedure: and there is always the House of Lords. The Boundary Commission for England’s Fourth Periodical Review report was debated in Parliament (on 14 June 1995: see *Hansard* for that date); most of the points made were parochially partisan, there was no overall critique of a set of proposals which, as discussed here, favoured Labour because of its efforts at the Local Inquiries, and the Whips managed to close the debate a couple of hours before its scheduled end.

The enumeration date has traditionally been in February because until recently the electoral rolls were compiled annually based on registrations in October and published in the following February. There is now a rolling registration procedure with electoral rolls updated monthly, so a Boundary Commission review could start at any time of the year.

Until 2007 the only previous interim review was in 1988-1989 when the Boundary Commission for England split the existing constituency in the rapidly growing new town of Milton Keynes into two. The July 2007 interim reviews in four English counties are set out in note 11: in one of them, the Commission noted that with the 2007 electorates Somerset was marginally entitled to an additional seat but that it would not make such a recommendation. The Boundary Commission for Wales announced an interim review for two constituencies on 31 August 2007; it will involve the transfer of 84 voters.

On the practices in these and other countries see the materials of the ACE project at http://aceproject.org/ace-en/topics/bd/bdb/bdb05/bdb05a.

If population data were used in the UK this would further accelerate the redistribution process, because small area data are immediately available.

In England, only the Conservative and Labour parties are fully involved in this, with the Liberal Democrats being much less active: in part because they lack the resources and in part until recently because with a relatively few exceptions the definitions will have little impact on their electoral prospects – and in any case, they are opposed to the electoral system. (An excellent example was during the Fourth Periodical Review when they were six months late submitting representations regarding the Isle of Wight, where they held the seat and could have convinced the Commission to create two: Rossiter, Johnston and Pattie, 1999). Elsewhere, other parties have been very active in the review process, as with Sinn Féin in Northern Ireland: see D. J. Rossiter, R. J. Johnston and C. J. Pattie, ‘The partisan impacts of non-partisan redistricting: Northern Ireland 1993-1995’, *Transactions, Institute of British Geographers* NS23, 1998, pp. 455-480.

1. Frequency distributions for constituency electorates in England

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The data for 2005 refer to the 529 constituencies defined during the Fourth Periodical Review and used in the election in that year. Those for 2000 refer to the 533 new constituencies recommended in the Fifth Periodical Review, using the figures for the census date in that year; those for 2006 refer to the same constituencies six years later. The inter-quartile range is shaded.
2. Frequency distributions for the absolute and percentage deviations from the electoral quota and the local averages in the 533 English constituencies recommended in the Fifth Periodical Review

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<th>Local Average</th>
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Key: P – provisional recommendations; F – final recommendations. The inter-quartile ranges are shaded.
3. Frequency distributions for the absolute and percentage deviations from the electoral quota and local averages in the 533 English constituencies recommended in the Fifth Periodical Review, in 2000 and 2006

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