

# PARLIAMENTARY DEBATES

HOUSE OF COMMONS  
OFFICIAL REPORT  
GENERAL COMMITTEES

Public Bill Committee

## PARLIAMENTARY CONSTITUENCIES (AMENDMENT) BILL

*Seventh Sitting*

*Wednesday 20 June 2018*

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Motion to adjourn considered.

Adjourned till Wednesday 20 June at half-past Nine o'clock.

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**not later than**

**Sunday 24 June 2018**

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**The Committee consisted of the following Members:***Chairs:* Ms NADINE DORRIES, †ALBERT OWEN

Allan, Lucy ( <i>Telford</i> ) (Con)	Mills, Nigel ( <i>Amber Valley</i> ) (Con)
Bone, Mr Peter ( <i>Wellingborough</i> ) (Con)	† Norris, Alex ( <i>Nottingham North</i> ) (Lab/Co-op)
Charalambous, Bambos ( <i>Enfield, Southgate</i> ) (Lab)	Paisley, Ian ( <i>North Antrim</i> ) (DUP)
† Fletcher, Colleen ( <i>Coventry North East</i> ) (Lab)	† Smith, Chloe ( <i>Parliamentary Secretary, Cabinet Office</i> )
† Foster, Kevin ( <i>Torbay</i> ) (Con)	Stewart, Bob ( <i>Beckenham</i> ) (Con)
† Harper, Mr Mark ( <i>Forest of Dean</i> ) (Con)	Wiggin, Bill ( <i>North Herefordshire</i> ) (Con)
† Khan, Afzal ( <i>Manchester, Gorton</i> ) (Lab)	
Lee, Karen ( <i>Lincoln</i> ) (Lab)	Kenneth Fox, <i>Committee Clerk</i>
† Linden, David ( <i>Glasgow East</i> ) (SNP)	
† Matheson, Christian ( <i>City of Chester</i> ) (Lab)	† <b>attended the Committee</b>

## Public Bill Committee

Wednesday 20 June 2018

[ALBERT OWEN *in the Chair*]

### Parliamentary Constituencies (Amendment) Bill

9.30 am

**The Chair:** I remind members of the Committee that electronic devices should be switched to silent and there should be no hot drinks in the Committee Room during sittings.

As the Committee cannot consider the clauses of the Bill until the House has agreed to a money resolution, I call Afzal Khan to move that the Committee do now adjourn.

**Afzal Khan** (Manchester, Gorton) (Lab): I beg to move, That the Committee do now adjourn.

I thank everyone for being here once again. We were all reunited yesterday, albeit in the Chamber rather than in our usual Committee Room. I was disappointed with the result of the motion we debated yesterday, but I will continue to do whatever I can to push the Bill forward. It was very disappointing that the Government would not allow us to make any progress in today's Committee.

We are now somewhat used to the back and forth of these debates. The Government continue to make the argument about the sovereignty of the Crown and the separation of powers. There seems to be some overreaction to what is being proposed. We do not want to rob the Government of their control over the country's finances or to overturn centuries of parliamentary conventions and the separation of powers. We just want to make some progress on the Bill.

The Government argued that, since we are in this position, we may as well wait for the Boundary Commission to report in the autumn. May I remind members that my Bill was passed on Second Reading unanimously on 1 December, and that was 201 days ago? To now say that we may as well wait until the autumn reveals that the Government never intended to follow proper procedure and allow us to consider the Bill in good time. They have delayed until the point at which they can say, "We may as well wait."

As much as we all enjoy meeting on a Wednesday morning, I did not come to Parliament, and my constituents did not elect me, to discuss procedure. I am here to pass legislation. I believe that my Bill is necessary and is worth considering in line-by-line detail, which would allow us to work through any amendments hon. Members might propose. Boundary changes are a fundamental part of our democracy and it is worth considering them carefully. Unfortunately, we are again discussing only an adjournment motion. The Government have decided not even to table a money resolution. Time is running out for us to work on a viable alternative to an inevitable defeat on the boundary changes in the autumn.

**Mr Mark Harper** (Forest of Dean) (Con): I want to put a few remarks on the record on the motion to adjourn because things have changed a little bit from the last time the Committee met. On previous occasions, the hon. Member for Manchester, Gorton has referred to the decision the House took to pass his Bill on Second Reading. This is and remains entirely true.

The difference today is that the House was explicitly asked a question yesterday about the proceedings in this Committee. The House was asked whether this Committee should have leave to consider the Bill, notwithstanding Standing Orders about money resolutions. Parliament, or rather the House of Commons, explicitly decided that we should not make any progress until there is a money resolution. Following the hon. Gentleman's logic about obeying the wishes of the House of Commons on making progress, as his Bill was passed on Second Reading, I would say that the House has been explicitly asked whether we should make progress, ahead of a money resolution being granted, and the House has said, no, we should not. We had a very wide-ranging debate yesterday and a clear decision was taken.

The hon. Gentleman also alluded to what I said yesterday about the timing of the Boundary Commission report. I presume the other commissions have written to Members in other parts of the country; the Boundary Commission for England has certainly written to hon. Members representing English seats and has pointed out that it will report just before we come back in September. Of course, to anyone outside who is listening to or reading our proceedings, that might seem like a long way in the future, but it is only four full sitting weeks until we are able to consider those reports.

**David Linden** (Glasgow East) (SNP): I have experience of the Boundary Commission for Scotland; there is a particular estate in my constituency and the commission was considering changing the boundaries. The problem that I found in that case was that the Boundary Commission for Scotland reported and the Government took a certain amount of time to consider that report.

Is there not a danger here that, although the right hon. Gentleman is technically right that in four sitting weeks the Boundary Commission could publish its findings, we are probably at the mercy of the Government's introducing some sort of resolution to the House that Members can vote down? Forgive me, but I am not necessarily sure that I would trust the Government to bring forward such a resolution timeously.

**Mr Harper:** The hon. Gentleman makes the perfectly fair point that bringing forward the Orders in Council, and scheduling the debate and the vote on those, are obviously matters for business managers—both Government and Opposition business managers, working in conjunction and having conversations with each other. That is entirely true.

However, I think I am right—I may be wrong, but I think I am right—in saying that there is a legislative weight on Ministers, in the sense that the boundary commissions have to report between the beginning of September and the beginning of October. I think I am also right in saying that the Parliamentary Voting System and Constituencies Act 2011 puts a weight on Ministers to bring forward the Orders in Council as soon as is

practically possible. Ministers cannot just delay matters forever; there is actually an injunction to move with reasonable pace, allowing for some level of consideration.

Obviously I do not speak for the Government but my sense is that the Government would want to move reasonably quickly, so that we knew what sort of position we will be in. Also, it follows from what Ministers have said already, and the Leader of the House explicitly confirmed yesterday, that the Government are not trying to kill the Bill, but they want the House to have the opportunity to reflect on the boundary commissioners' reports and, as I have said, to debate the Orders in Council. Then we can reflect and take further steps.

It is implicit in that process that the Orders in Council need to be introduced to give the House a chance to consider and debate them while there is still enough of the Session left so that if it was considered appropriate to grant the money resolution and proceed with consideration of the Bill, there would be enough time to see that process through. Effectively, that gives a window of opportunity, which Ministers will obviously reflect on when they make their decisions.

**Afzal Khan:** This private Member's Bill does not try in any way to stop the review. All it is trying to do is allow a parallel—an alternative—because many of us in the House feel that the review is dead in the water and will not get anywhere. It is also important that we have an alternative because we cannot carry on having elections for another 18 or 20 years based on the figures that we had before. It would help the House overall and help democracy to move forward in this way.

**Mr Harper:** I take the hon. Gentleman's point, which is perfectly sensible. I just do not agree with matters being conducted "in parallel", for two reasons. First, if we are going to debate the Bill, we should find out the House's view of the boundary proposals. Although he asserts, as he did yesterday, that he knows what the answer is, in my experience—as a Back Bencher, a Minister and Government Chief Whip—it is always quite useful to test the opinion of the House through a Division rather than just assuming what the answer will be, because sometimes the answer will be a pleasant surprise and sometimes it will not be such a pleasant surprise. We should not assume that we know what the answer will be.

Secondly, if the Government are not successful in getting those Orders in Council through, the debate on the Bill would be better informed by the Government's having listened to the concerns that Members express in the debate on the Orders in Council.

I know that it would be a slight tragedy, because I would effectively be arguing for not continuing to debate things in this Committee, but given that the boundary legislation is constitutional in nature and by definition affects every single Member of Parliament, there would be a case, were we to make progress with the Bill at some point, for the debate on it not to take place in Committee. Committee stage should take place on the Floor of the House, as it did for the Parliamentary Voting System and Constituencies Bill. That is generally what happens to constitutional legislation: all stages are taken on the Floor of the House.

That is another reason why it is better to wait for the House to have the opportunity to consider the boundary proposals. If the Government do not get those proposals

through and want to make progress on the Bill, using it as a vehicle, it would be better if time were found for all its stages to be debated on the Floor of the House because of the nature of the subject matter. Realistically, we cannot do that when we do not know the outcome of the boundary commissions' proposals.

For all those reasons, it is right for the Committee to adjourn. We shall know what the boundary commission reports are in four sitting weeks, and the Government will then reflect on them—I hope, reasonably quickly—before they come up with the Orders in Council. That is why it is right for the Committee to adjourn, so I hope that we agree that motion.

**David Linden:** It is a pleasure, as always, to serve under your chairmanship, Mr Owen, and to see you back in the Chair.

I shall be brief, because we have had quite a lot of debate this week. It has been a pleasure to spend Monday, Tuesday and today with the Minister and the shadow Minister. It is apparent to me that one of the most pressing and gripping issues is parliamentary and constitutional reform, but perhaps that view is not shared by the wider public.

It is also a pleasure to follow the right hon. Member for Forest of Dean. I was intrigued by what he said about how yesterday the House of Commons made clear its view. If that is indeed the case, perhaps something new is happening: the right hon. Gentleman and the Government are now taking part in Opposition day votes. If they are saying that when the House of Commons votes on an Opposition day, the result should be taken note of, I look forward to future votes on the Women Against State Pension Inequality Campaign and many other issues. So when the House sends a very clear signal, the Government will listen to that.

**Mr Harper:** It is very clear. Certain motions passed by the House are binding, and motions such as yesterday's, which was to direct the business of the House, are binding, so the vote yesterday was binding. However, some of the other motions that the hon. Gentleman is talking about are not binding, so to do what he suggests would require primary legislation.

**David Linden:** I have a lot of respect for the right hon. Gentleman, but that is probably just parliamentary gymnastics in action. When the House of Commons divides and the opinion of the 650 or so Members, who are sent here to represent their constituents, is tested, the Government cannot say, "On these particular votes the House of Commons' voice can be heard and somehow respected, but those other votes are a bit inconvenient for us, because we don't have the numbers, so we'll just ignore them." The Government were getting into a difficult position on Opposition day votes and when Government Members take part.

Yesterday, there was some debate about whether the Bill was being killed. I would probably have taken that view, but the right hon. Member for Forest of Dean and indeed the Minister have said no, the Government are not killing the Bill in Committee. They might not be killing the Bill, but it does feel as if it is in Guantanamo Bay at the moment—being held for numerous days without trial. We have not had the opportunity to put the Bill on trial, to scrutinise it line by line.

[David Linden]

My final observation this morning is about something I found very telling last night. When the House divides, it is very unusual for Democratic Unionist party Members not to take part in a vote, and it is curious that, in the five, six or seven sittings of the Committee, the hon. Member for North Antrim has not always been present—he is a larger than life character, so if he is in the room, we tend to notice him. Yesterday I found the comments of the right hon. Member for Belfast North (Nigel Dodds) and the fact that Democratic Unionist party Members chose to abstain very interesting. It is fairly well known that the DUP is not united at the moment on the whole issue of reform of parliamentary constituencies.

I am happy to sit in Committee every Wednesday morning, but yesterday's debate in the House was interesting. Comments such as those of the hon. Member for St Austell and Newquay (Steve Double) show the direction of travel in the House. He did a very good job of being both a Government loyalist and a rebel—the right hon. Member for Forest of Dean, as a former Chief Whip, is aware of how such speeches are made. He said that he was not happy about how the terms of yesterday's motion were framed, and he would therefore go into the Lobby to support the Government. However, he made it absolutely clear that he does not support the reduction of 650 seats to 600.

We can come here and continue to have these debates, but it was clear yesterday that the direction of travel is that the democratically elected House of Commons does not support the number of seats being reduced from 650 to 600. I think we will find that out very clearly when the will of the House is tested on it.

9.45 am

**Christian Matheson** (City of Chester) (Lab): It is a pleasure to see you in the Chair, Mr Owen. I will follow on from my good friend the hon. Member for Glasgow East, because the same thought had occurred to me about yesterday's debate.

The right hon. Member for Forest of Dean talks about the will of the House of Commons being expressed yesterday, but the Government have form in this area. Every other Opposition motion in this Parliament has been ignored. That gives the Government a way out,

because they could ignore the vote on yesterday's Opposition day motion and proceed to table a money resolution for the Bill. That would be entirely consistent with their actions during the rest of this Parliament, unless of course, as my very good friend the hon. Member for Glasgow East suggests, they want to start taking note of votes in the House of Commons—even those in which Government Members do not bother to take part. We could start by taking the Commons and the votes seriously. I would happily take yesterday's vote more seriously if there were consistency from the Government.

I want to talk about the character of my hon. Friend the Member for Manchester, Gorton, who has shown a certain resilience throughout the process. He and I have been friends outside this place for 15 to 20 years. We come from the same region. As far as I know, he came to this country with his parents as a young child, with very little in his pockets. He served as a police officer, studied law in his own time, built up his own successful law practice, was elected to Manchester City Council, became the first Asian lord mayor of Greater Manchester, by which time I had known him for several years, and was elected to the European Parliament.

This is not a gentleman who gives up easily and throws in the towel when faced with adversity. If the Government are looking for somebody who will simply give up on the process because they are stonewalling, I suggest they have the wrong Afzal Khan. They will have to go outside and find another Afzal Khan, who would give up earlier. I pay tribute to my hon. Friend for his resilience and determination, which is the hallmark of the man I have known for many years.

We can keep playing a straight bat, but straight bats can be played at both ends of the wicket, and a devastating pace attack can be played at one end of the wicket as well. I urge the Minister to keep the bat up, but every innings must come to an end. At some point, this matter will be considered by the House, because I know that my hon. Friend will not give in. With that, for this week at least—looking forward with anticipation to next week—I will resume my seat.

*Question put and agreed to.*

9.48 am

*Adjourned till Wednesday 27 June at half-past Nine o'clock.*



