

PARLIAMENTARY DEBATES

HOUSE OF COMMONS
OFFICIAL REPORT
GENERAL COMMITTEES

Public Bill Committee

PARLIAMENTARY CONSTITUENCIES (AMENDMENT) BILL

Fifteenth Sitting

Wednesday 17 October 2018

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Motion to adjourn considered.

Adjourned till Wednesday 24 October at Ten o'clock.

No proofs can be supplied. Corrections that Members suggest for the final version of the report should be clearly marked in a copy of the report—not telephoned—and must be received in the Editor’s Room, House of Commons,

not later than

Sunday 21 October 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>) (Ind)
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)	David Weir, <i>Committee Clerk</i>
† Linden, David (<i>Glasgow East</i>) (SNP)	
† Matheson, Christian (<i>City of Chester</i>) (Lab)	† attended the Committee

Public Bill Committee

Wednesday 17 October 2018

[ALBERT OWEN *in the Chair*]

Parliamentary Constituencies (Amendment) Bill

10 am

The Chair: Order. I welcome you all back and remind you that electronic devices should be switched to silent. We now move to the motion to adjourn, as the Committee cannot consider the clauses of the Bill until the House has agreed the money resolution.

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

Last week, my hon. Friend the Member for City of Chester presented the Committee with a draft order that the Government could easily use to lay the boundary reports before the House. I do not believe it is necessary to copy the offer. The Minister had claimed that preparing the order would take many months, but it is quite clear that it could be done much quicker than that. I would like to ask the Minister how many civil servants are currently working on drafting the order. Is anybody actually doing that?

Whitehall might sometimes seem an obscure place but it is accountable to Parliament and, ultimately, to the public. Has the Minister instructed any parliamentary draftsmen to draw up the order? If so, how far have they got? I would be grateful if we could get an update, seeing as the boundary review was released a month ago.

Even quicker than an order for the boundary review would be a money resolution for my Bill. The Government had no trouble tabling multiple money resolutions for Bills behind mine in the private Member's Bill ballot. In fact, just yesterday the Minister tabled and spoke to the money resolution for the Overseas Electors Bill, making it crystal clear that money resolutions are being used for party political reasons, to further private Members' Bills that the Government support and block those they oppose. We can continue to meet every Wednesday morning and I am glad that colleagues continue to attend, but it would be better if we could actually discuss something.

Mr Mark Harper (Forest of Dean) (Con): I am grateful that you have called me, Mr Owen. I want to put a few remarks on the record that are pertinent to those raised by the hon. Member for Manchester, Gorton. First, I should apologise that I was not here last week; I was unavoidably elsewhere. I notice, having assiduously read the fantastic *Hansard* report, which we are so blessed with in these Committees, that I was mentioned in dispatches, as it were, so I thank the hon. Member for City of Chester who speaks for the Opposition for noticing that I was not here. It is always good when people actually notice that one is not at Committee and that it does not just pass people by.

I want to say a couple of things about the drafting points. First, I am slightly disappointed that the hon. Member for City of Chester appears to be so despondent in his role as a Member of Parliament that he has decided to audition for the job of parliamentary counsel. Having acquainted myself with that, I can tell him that being a parliamentary draftsman is rather better paid than being a Member of Parliament. They are very senior lawyers and it is a very specialist job. If the hon. Gentleman looks at the pay scales, he will see they are rather better remunerated than even Cabinet Ministers. I should say that he would be very sadly missed, so I hope his application to be a parliamentary draftsman is declined.

I notice he offered his services to the Minister, but I think she probably has the services of parliamentary counsel to hand. As she said, it is a complicated process. I know the hon. Gentleman has not had the chance, but I have been able, in a number of roles, to ask civil servants to instruct parliamentary draftsmen. It is actually more complicated than the hon. Gentleman thinks and it needs to be right. What the Minister said last time about the complexity of the task is very necessary.

Given that we can discuss only the adjournment, I will repeat what I said on the final point made by the hon. Member for Manchester, Gorton about a money resolution. As I have said, the House now has the chance to take a decision on the boundary commission reports that have been laid before it. If we were to actually consider this Bill, it should not be considered in Committee. All the previous legislation on boundaries, because they are constitutional in nature, were considered in a Committee of the whole House. If the Bill were to make progress, the Government ought to find time for it so that all Members—because this issue affects all Members—could discuss it on the Floor of the House.

I think that the right approach is to allow the House to take a decision on the boundary commission orders. Obviously, in my current life as a Back-Bench Member of Parliament, I have no influence over that; it is a matter for the usual channels to discuss. However, if we were to discuss it in detail, it should be done in the House.

Afzal Khan: I thank the right hon. Gentleman for his conclusion and for his efforts in the Committee. The question is ultimately whether he believes that we should resolve this issue. After all, we have used the current figures for 20 years. Do we want to end up using them for 25 years? If we do not get on with this, there is a real risk that that will happen.

Mr Harper: One generally welcomes sinners who repent, and I am pleased that the hon. Gentleman is seized of the urgency of dealing with the boundaries. I reflect on how disappointing it is that his party and the Liberal Democrats did not think so when they combined to block the boundary review that was supposed to take place off the back of the legislation passed in the House in 2011. Had they not conspired to block that review, new boundaries would already have been put before the House and we would already have fought a general election on them. I am pleased—I will be grateful if the hon. Member for City of Chester will confirm this—that

the Labour party's position is that we need new boundaries, because that was not its position when they were blocked last time. That is welcome. We obviously want this process to continue.

I have one final point. As I have said previously, consideration of the Bill is slightly putting the cart before the horse because, first, we would be considering it without knowing the House's decision on the new boundaries laid before it. If the House accepts those, the decision has been taken. Secondly, even if the House were to reject the boundary commission proposals, as in the scenario set out by the hon. Member for Manchester, Gorton, we should want to understand why the proposals brought forward under the existing legislation were rejected before we were to amend the Bill. Those reasons would obviously come up in the full debate that would take place in the House, and we should want that knowledge to inform the debate on the Bill.

That is why the sequence of this process that the Minister has set out in previous sittings is right, and I recommend that the Committee accepts it when it considers the motion to adjourn shortly.

The Chair: I am keen to hear from Back-Bench Members, so I call Karen Lee.

Karen Lee (Lincoln) (Lab): I am sorry that I was not here last week; I had something on. I made it a point to be here this week. I actually went to a meeting of the all-party parliamentary group on motor neurone disease at 9.30 am this morning. One of my constituents has motor neurone disease and he really wanted me to attend. I had to leave that meeting to come here. I have to say, as someone who is new here, that the delaying tactics being engaged here are appalling. I am shocked by them. I would like that to be noted, for the record. It is disgusting.

As Members, we are paid an awful lot of money, compared with people on universal credit or who go to food banks. We hear a lot about the proper spending of taxpayers' money, and that meeting is a resource that could be properly used. I could be down there now, learning more about motor neurone disease, but I am here instead. If I was here being productive, that would be something, but I am not. I am absolutely appalled, and Government Members should be ashamed of themselves.

David Linden (Glasgow East) (SNP): It is, as ever, a pleasure to see you in the Chair, Mr Owen. I also apologise for not being here last Wednesday; I think Members will know my situation at home. I take this opportunity to place on the record my thanks and gratitude to NHS Greater Glasgow and Clyde, and particularly to the neonatal intensive care unit at the south Glasgow university hospital.

I do not intend to speak at any length today. I will make only one observation, to follow on from the hon. Member for Manchester, Gorton. Yesterday I sat through the debate in the main Chamber on the Overseas Electors Bill, which was introduced by the hon. Member for Montgomeryshire (Glyn Davies). I now find myself taking a rather unusual interest in money resolutions for private Members' Bills. I was rather surprised to hear the Minister say yesterday that the proposals would

cost £1 million a year for 10 years. One of the arguments that we hear at this Committee is that we have to be careful how we use public money, so I am not sure how those two arguments match up.

I heard numerous Members, particularly Conservative Members, talking about "votes for life." I happen to disagree with the Bill that was before the House yesterday, none the less, I respect the fact that the hon. Member for Montgomeryshire managed to get a Second Reading for it. I respected the democratic vote of the House yesterday when it gave that Bill a money resolution. I respect the fact that next door, at 2 o'clock this afternoon, a Committee will meet to consider it clause by clause and line by line. The fundamental issue is that the House of Commons has commanded that that Bill be able to progress, but the Government are using delaying tactics by not granting a money resolution to the Bill promoted by the hon. Member for Manchester, Gorton, which is an abuse of Executive power. The Overseas Electors Bill will come back to the House at some point for its remaining stages, and I will vote against it on Third Reading, but I respect the fact that it will go to Committee this afternoon and that members of that Public Bill Committee will be able to scrutinise it line by line. That is exactly what we should be able to do here.

Mr Harper: On the hon. Gentleman's point about the wishes of the House of Commons, it is worth putting on record that on 19 June, Opposition Front Benchers moved a motion to ask the House whether this Committee could consider the clauses of the Bill, notwithstanding the fact that no money resolution had been tabled. The House was asked for its opinion about whether we should proceed. It divided, and made a clear decision with a majority of 15 that we should not make any progress on the Bill. We can debate whether that was the right or wrong decision—obviously, the hon. Member for Lincoln believes that it was the wrong decision—but the point is that the House made that decision, not the Government, and that is why we are not making further progress.

David Linden: We have had that debate before, and we know that on the day, several Conservative Members said that they supported the principle of the Bill, but were voting against the motion on the basis of a technicality. As the parliamentary term continues, I think that more and more Conservatives will come out and say that they do not support the reduction of seats from 650 to 600. We will see what happens when that comes before the House.

I want to pick up on a point that the right hon. Member for Forest of Dean made about how long it takes to draft legislation. I am sorry, but I cannot buy that. Numerous times in this House, I have seen emergency legislation brought forward in respect of Northern Ireland, which is fast-tracked at all stages—done in one day—and drafted in a matter of days. If the Government can draft legislation for Northern Ireland very quickly and get it through all its stages in the House of Commons, they can do it with this Bill.

Christian Matheson (City of Chester) (Lab): It is a great pleasure to follow my good friend the hon. Member for Glasgow East. It is great to see him back in Committee.

[*Christian Matheson*]

I will pick up on two points that were queried by the right hon. Member for Forest of Dean. First, I confirm to the Committee that I am not at all dissatisfied with my lot; I might be a little bit dissatisfied with the Minister's, but I am certainly not dissatisfied with mine. I consider it a privilege to be here, and I am fortunate to enjoy the work that I undertake. That work does, from time to time, include drafting, and I will come back to that in a moment, but I confirm that that Her Majesty's Opposition support a review of boundaries. We are long overdue one.

I was not in the House at the time, but I am pretty sure that the Opposition voted against the last set of boundaries for the same reason we are unhappy with the current ones: the obsession with reducing seats from 650 to 600, and the tight margin around the national average that restricts local factors and puts numbers above everything. The equalisation of seats is probably a fair idea in itself, but there has to be a level of tolerance, and we know about the problem with people having fallen off the register and come back on, but we are still using out-of-date registers. Those three points would have been considered in this Committee, but we are not allowed to discuss the Bill. The Opposition are absolutely in favour of a new set of boundaries, and we want to see the review moved forward quickly, but I say to the right hon. Gentleman that the Opposition are not preventing it from happening. The Government are preventing it from happening, because they do not have the courage of their convictions and have not brought forward the new set of boundaries to be considered.

The right hon. Gentleman has considerably more experience in Government than me, although that is not hard, for now. Nevertheless, the order would be simple to draft. It is not primary legislation. When I drafted my proposed order last week, I based it on the previous order. A framework is already there that can be used. Once again, I do not accept that it is a complicated piece of drafting, not least because most of the order simply reproduces the boundary commissions' proposals. That work has already been done, and there will not be very much need to amend those proposals.

10.15 am

Other Members, including my hon. Friend the Member for Manchester, Gorton, have spoken about the Overseas Electors Bill, which perhaps puts the Minister in a further bind when trying to defend the situation with this Bill. The Overseas Electors Bill is similar to this one. It is a Back-Bench Bill, it has received its Second Reading and it has now leapfrogged this Bill. It is not a very British way of doing things. In this country, we do not push in. We do things fairly, in a decent order and with respect for one another.

My hon. Friend's Bill was first in the queue, and the Government have allowed another Bill to push in and be given consideration first. That in itself might be discourteous, in parliamentary terms, but unfortunately it exposes the Government politically. It exposes the absurdity and the political considerations of failing to give this Bill a money resolution. One by one, every single excuse that the Government throw up to delay the Bill is falling by the wayside. Much as I have sympathy with the Minister—in the past, I have used

the phrase “taking one for the team”, and we have heard the anger of my hon. Friend the Member for Lincoln—things are becoming more absurd and more damaging by the week. The situation cannot continue. There are no more excuses for delaying the procedure.

In closing, I want to ask the Minister a question, because there has been some suggestion that in the legislation underpinning the new 5 September boundaries there is a time limit within which an order has to be brought before the House. We have heard the reasons as to why the Government do not want to do that, but I would be interested to know whether they have had any legal advice about whether the time limit exists and can be ignored and on what basis it can be ignored. Otherwise, we may find that there is more legal pressure for them to introduce the order, which has apparently not yet been drafted, within the time limit specified by the parent legislation. If the Minister makes a contribution, perhaps she might address that point.

The Parliamentary Secretary, Cabinet Office (Chloe Smith): I will make a few comments this week. The first is to extend my sympathy and my very best wishes to the hon. Member for Glasgow East. I, too, am a relatively new parent, and I entirely understand how very difficult things must be for him and his family. We all wish his family well.

On the point that the hon. Member for Lincoln made, I am afraid her anger is misplaced in being directed at me. It is not for me to answer as to why we gather here every Wednesday to discuss adjourning. That is for you, Mr Owen, or the Member whose Bill this is. All arguments have been made about the status of the Bill. There are few arguments to add that would be fresh to this Committee, so I will not try to do so. Nor will I bring to this place arguments that relate to the Overseas Electors Bill, which will rightly be discussed in another Committee.

I am none the less happy to account to Parliament for the progress of the order. I can confirm that the legislation requires it to be prepared as soon as may be; that is the legal position, as set out in legislation. There need be no further secret advice of any kind; it is there for all to see. Therefore, the order is being prepared and the House will absolutely have its chance to examine it in line with the legislative process that we are following. I should note that it was of course this House—Parliament—that agreed and set out that process.

In closing, I will just offer a little further information to the Committee, which I hope might be of interest and which is slightly in response to the hon. Member for City of Chester, who chose this morning to talk of politics and absurdity. However, he may like to reflect on what happened in the fifth boundary review, which, Mr Owen, you may recall was carried out under a Labour Government.

The hon. Gentleman may like to know about the reports and the orders at that time. I am talking about a period from 2004 to 2007—it took a little time to do the work—when the reports and orders were done separately for each nation of the United Kingdom. He may already know that the report for England was handed to the Government in October 2006 and the order was laid in Parliament four months later. He may like to know that the report for Northern Ireland was handed to the

Government in September 2007 and the order was laid in Parliament six and a half months later; and that the report for Wales was handed to the Government in January 2005 and the order was laid in Parliament a whole 10 and a half months later. The hon. Member for Glasgow East may be delighted to know that the report and order for Scotland were done a little quicker—inside 2004—but a maximum time of 10 and a half months is

something that members of the Committee may like to reflect upon when they talk party politics, because it was the Labour party that achieved that.

Question put and agreed to.

10.21 am

Adjourned accordingly till Wednesday 24 October at Ten o'clock.

