

PARLIAMENTARY DEBATES

HOUSE OF COMMONS
OFFICIAL REPORT
GENERAL COMMITTEES

Public Bill Committee

PARLIAMENTARY CONSTITUENCIES BILL

First Sitting

Thursday 18 June 2020

(Morning)

CONTENTS

Programme motion agreed to.
Written evidence (Reporting to the House) motion agreed to.
Motion to sit in private agreed to.
Examination of witnesses.
Adjourned till this day at Two 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

Monday 22 June 2020

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The Committee consisted of the following Members:

Chairs: SIR DAVID AMESS, † IAN PAISLEY

† Afolami, Bim (<i>Hitchin and Harpenden</i>) (Con)	† Miller, Mrs Maria (<i>Basingstoke</i>) (Con)
† Bailey, Shaun (<i>West Bromwich West</i>) (Con)	† Mohindra, Mr Gagan (<i>South West Hertfordshire</i>) (Con)
† Clarkson, Chris (<i>Heywood and Middleton</i>) (Con)	† Shelbrooke, Alec (<i>Elmet and Rothwell</i>) (Con)
† Efford, Clive (<i>Eltham</i>) (Lab)	† Smith, Cat (<i>Lancaster and Fleetwood</i>) (Lab)
† Farris, Laura (<i>Newbury</i>) (Con)	† Smith, Chloe (<i>Minister of State, Cabinet Office</i>)
† Fletcher, Colleen (<i>Coventry North East</i>) (Lab)	† Spellar, John (<i>Warley</i>) (Lab)
† Hughes, Eddie (<i>Walsall North</i>) (Con)	
† Hunt, Jane (<i>Loughborough</i>) (Con)	Sarah Thatcher, <i>Committee Clerk</i>
† Lake, Ben (<i>Ceredigion</i>) (PC)	
† Linden, David (<i>Glasgow East</i>) (SNP)	
† Matheson, Christian (<i>City of Chester</i>) (Lab)	† attended the Committee

Witnesses

Tony Bellringer, Secretary, Boundary Commission for England

Isabel Drummond-Murray, Secretary, Boundary Commission for Scotland

Shereen Williams MBE, Secretary, Boundary Commission for Wales

Eamonn McConville, Secretary, Boundary Commission for Northern Ireland

Public Bill Committee

Thursday 18 June 2020

(Morning)

[IAN PAISLEY *in the Chair*]

Parliamentary Constituencies Bill

11.30 am

The Chair: Before we begin, I have a few announcements. Please ensure your mobile devices are on silent. I allow you to bring in tea and coffee. I am not as strict as some other Chairs. You are welcome to keep refreshed during the proceedings. I call the Minister to move the programme motion in her name.

The Minister of State, Cabinet Office (Chloe Smith): I beg to move,

That—

(1) the Committee shall (in addition to its first meeting at 11.30am on Thursday 18 June) meet—

- (a) at 2.00pm on Thursday 18 June;
- (b) at 9.25am and 2.00pm on Tuesday 23 June;
- (c) at 11.30am and 2.00pm on Thursday 25 June;
- (d) at 9.25am and 2.00pm on Tuesday 30 June;
- (e) at 11.30am and 2.00pm on Thursday 2 July;

(2) the Committee shall hear oral evidence in accordance with the following Table:

TABLE

<i>Date</i>	<i>Time</i>	<i>Witness</i>
Thursday 18 June	Until no later than 12.20pm	Boundary Commission for England Boundary Commission for Scotland
Thursday 18 June	Until no later than 12.40pm	Boundary Commission for Wales
Thursday 18 June	Until no later than 1pm	Boundary Commission for Northern Ireland
Thursday 18 June	Until no later than 2.30pm	The Conservative Party
Thursday 18 June	Until no later than 3pm	The Labour Party
Thursday 18 June	Until no later than 3.30pm	The Liberal Democrats
Thursday 18 June	Until no later than 4pm	The Scottish National Party
Thursday 18 June	Until no later than 4.30pm	Plaid Cymru
Thursday 18 June	Until no later than 5pm	Professor Richard Wyn Jones, Wales Governance Centre, Cardiff University
Tuesday 23 June	Until no later than 9.50 am	Dr Alan Renwick, The Constitution Unit, University College London
Tuesday 23 June	Until no later than 10.10 am	The Green Party

<i>Date</i>	<i>Time</i>	<i>Witness</i>
Tuesday 23 June	Until no later than 10.40 am	Professor Roger Awan-Scully, School of Law and Politics, Cardiff University
Tuesday 23 June	Until no later than 11.25 am	Professor Iain McLean, Department of Politics and International Relations, University of Oxford Professor Sir John Curtice, Department of Politics, University of Strathclyde
Tuesday 23 June	Until no later than 2.30 pm	The Association of Electoral Administrators
Tuesday 23 June	Until no later than 3pm	The Local Government Boundary Commission for England
Tuesday 23 June	Until no later than 3.30 pm	The Electoral Reform Society
Tuesday 23 June	Until no later than 3.50 pm	The Democratic Unionist Party
Tuesday 23 June	Until no later than 4.10 pm	Dr Jac Larner, Wales Governance Centre, Cardiff University
Tuesday 23 June	Until no later than 5 pm	Professor Charles Pattie, Department of Politics, University of Sheffield Dr David Rossiter

(3) proceedings on consideration of the Bill in Committee shall be taken in the following order: Clauses 1 to 11, the Schedule, Clause 12, New Clauses, New Schedules, remaining proceedings on the Bill;

(4) the proceedings shall (so far as not previously concluded) be brought to a conclusion at 5.00pm on Thursday 2 July. Chloe Smith has given notice of her intention to move a motion in the terms of the Resolution of the Programming Sub-Committee [Standing Order No. 83C].

Thank you for your chairmanship, Mr Paisley. We all look forward to serving with you. I welcome the shadow Minister and all members of the Committee. I am grateful to everybody for their time and to the witnesses.

It is important that we have a motion here that provides for four oral evidence sessions and six sessions of line-by-line scrutiny, with the option, should we need it, for afternoon sessions to run longer, but I am sure none of us wants any midnight finishes, so we will stick to the work in hand. This gives a good amount of time for the Bill to be properly scrutinised. I really welcome the fact that we have a wide range of witnesses.

I draw the Committee's attention to the letter that everybody ought to have received from me already, outlining a Government amendment we are making with respect to the data to be used by reviews, which I hope is welcome in the light of the impact of coronavirus.

The Chair: The Minister is referring to a letter of 15 June. I assume everyone has received that.

Question put and agreed to.

Resolved,

That, subject to the discretion of the Chair, any written evidence received by the Committee shall be reported to the House for publication.—(Chloe Smith.)

The Chair: Copies of written evidence that the Committee receives will be made available in the Committee room. I believe they are at the back of the room.

Resolved,

That, at this and any subsequent meeting at which oral evidence is to be heard, the Committee shall sit in private until the witnesses are admitted.—(*Chloe Smith.*)

11.33 am

The Committee deliberated in private.

Examination of Witnesses

Tony Bellringer and Isabel Drummond-Murray gave evidence.

11.37 am

The Chair: Mr Bellringer, you are very welcome before us, physically, and Isabel Drummond-Murray, can you hear me? Hello.

Isabel Drummond-Murray: Hello. I can, yes.

The Chair: You are very welcome with us virtually. Thank you both for taking the time to join us and for allowing the panel to proceed.

We are now in public session to hear evidence from Tony Bellringer, secretary to the Boundary Commission for England, and Isabel Drummond-Murray, secretary to the Boundary Commission for Scotland.

Before I call the first Member to ask a question, I remind the Committee that questions should be limited to matters within the scope of the Bill. We will stick to the timings in the programme order. The Committee has agreed that for this panel we will have until 12.20 pm or thereabouts.

I ask any members of the Committee who wish to declare any relevant interests in connection with the Bill to make those declarations now.

Alec Shelbrooke (Elmet and Rothwell) (Con): Isn't that all of us?

The Chair: I call the first witnesses. Will you please introduce yourselves? We will start with you, Isabel.

Isabel Drummond-Murray: I am Isabel Drummond-Murray, secretary to the Boundary Commission for Scotland.

Tony Bellringer: I am Tony Bellringer. I am the acting secretary to the Boundary Commission for England.

The Chair: Minister, we move to you for questions.

Q1 The Minister of State, Cabinet Office (Chloe Smith): Thank you, Mr Paisley. I also thank you, Isabel and Tony, for joining us this morning. In my departmental role, I look forward to continuing the work between my officials and you and yours, doing the work of this legislation behind the scenes.

Could you talk us through what it consists of to conduct a review? Also, given that this legislation focuses on having equal and updated boundaries, perhaps you

would be able to give us some insight into the importance of updating your work, including the fact that we have a slightly shortened review for the first of the series of actions that is outlined in the Bill.

Tony Bellringer: How a review operates is set out in the current legislation. Prior to this review, the legislation was most recently and substantively amended in 2011, when the rules by which we work were changed. Essentially, we gather the parliamentary electorate from across the United Kingdom. There is a statutory formula set out, which calculates the distribution of the House of Commons seats across the different parts of the UK.

There are four commissions—one for each part of the UK. Effectively, each of us then works independently. At the end of the day, we have to come up with a report that recommends to Parliament the prescribed number of seats for that part of the UK. Currently, they must be within plus or minus 5% of essentially a mean average electorate figure for the constituencies, the official term for which is the electoral quota.

We go through a process of iterative public consultation; that process is also prescribed in the legislation. We have an initial proposal stage. We work slightly differently to the local government commissions, in that we start off by coming up with a scheme with proposals, and then we publish those and consult on them, whereas the local government commissions tend to consult first and then come up with some ideas.

The initial consultation then produces a raft of responses; we receive very many responses. We then work through all of those responses; we do genuinely consider every single response that we get. And we look at what we may need to change from our initial proposals.

Currently, we are required to do something called secondary consultation, which is publication of all the responses to the first consultation that we receive. So, there are no new proposals in there; it is simply giving people an opportunity to comment on what other people have said.

We then look at all the responses to that secondary consultation as well and come up with a set of revised proposals, which we again publish and consult on for a period of time. We then look at those again, decide whether any final changes need to be made, and then we write up our final report and recommendations. Currently, those are submitted to the Government, who are then required both to lay that report before Parliament and translate it into a draft statutory instrument, which must be actively debated by both Houses. If it is approved, those constituencies will be used at the next general election.

As for the second question about the importance of conducting a review now, the constituencies that we currently have were the result, in England, of a review that concluded in late 2006; the order was made in 2007. Those constituencies were first used in the general election of 2010. However, the process that led to that report began in 2000. Therefore, the electorate data that your current constituencies are based on dates from 2000.

A review was commenced under the new legislation, to report in 2013, and as we know from the Bill, there was also one that was held in 2018 and reported in the same year. To date, neither of those reviews have resulted in a new set of constituencies, so your existing constituencies are very out of date. So the Government have come

forward with this proposal to set aside the recommendations of the 2018 review and proceed very quickly to another review, largely working to the same rules established in 2011, but with a slightly truncated timetable that I believe would see us report in July 2023, with—I guess—the idea being that you would then have about 12 months before the expected next date of a general election.

Q2 The Chair: Isabel Drummond-Murray, do you want to say anything?

Isabel Drummond-Murray: I think that Tony has covered the legislative framework pretty well, so, no, there is nothing I would add to that.

Q3 Cat Smith (Lancaster and Fleetwood) (Lab): Mr Bellringer, you talked about the plus or minus 5% of the electoral quota requirement that was brought in under the Parliamentary Voting System and Constituencies Act 2011. However, in the 2013 report by the Boundary Commission, which looked at the lessons learned, it states:

“One of the most testing issues in the context of the revised statutory framework has been the requirement to reconcile the need to adhere to a fixed electorate tolerance (i.e. within 5% of the electoral quota) with the need to respect local ties and/or existing constituency boundaries.”

Do those concerns still stand and, if so, is there any way of alleviating the difficulties that the commission will face?

Tony Bellringer: Yes, the problem still exists. It is essentially a pragmatic problem. The smaller the tolerance level you allow, the closer you get to the pure principle of electorate equality between constituencies, and that is all to the good. The problem is that that makes it very much harder to have regard to the other factors that you specify in the legislation, such as the importance of not breaking local ties, and having regard to local authority boundaries and features of natural geography. Basically, the smaller you make the tolerance, the fewer options we have. That is what it boils down to.

How could you mitigate the problem? The only real way to mitigate it is to make the tolerance figure slightly larger. The larger you make it, the more options we have and the more flexibility we have to have regard to the other factors—but obviously, the further away you are moving from the pure principle of electorate equality. You do need to strike the balance somewhere.

The commission itself does not have a view on what the correct figure should be—before anybody tries to ask me that question. However, we would highlight the fact that some academic work has been done on this. I believe that you are due to interview Charles Pattie, who was one of the authors of a report in 2014 that looked specifically at the issue. He is more qualified to say than I am.

Q4 Cat Smith: In areas where electoral wards are much larger—some cities, certainly in England, have wards of almost 10,000 electors—would those communities be seen as more difficult to fit into the 5% without splitting wards?

Tony Bellringer: Yes is the short answer. As you say, particularly in England we work or we have traditionally worked on the basis of using wards as our building blocks—I am sure there will be some discussion about that in due course. But as you say, a number of wards,

particularly in urban authorities in England, are larger than the entire possible range that you are permitted—the difference, I should say—so by moving one ward, you will move from being too big as a constituency to being too small, with nothing in between, so you then have to start looking at splitting the wards, which becomes more problematic for us, for reasons that I am sure we will get on to.

Q5 David Linden (Glasgow East) (SNP): It is a pleasure to serve under your chairmanship, Mr Paisley. I have perhaps three or four questions that I would like to ask Ms Drummond-Murray. First, most of us here are quite pleased that the Government have decided to change their position and let us remain at 650 seats, but I understand that even with the protection of 650 seats for the UK Parliament, Scotland would lose seats under this review. Is that a point that you can clarify, and what would be the reduction for Scotland?

Isabel Drummond-Murray: It is not possible to give an answer to that until we have the electorate data that the review will be based on. I think, informally, we did look at the December '19 register, and if that were the one being used, it did suggest a reduction in seats in Scotland. Clearly, the Bill as drafted suggests the December '20 register. Until we get those figures published, from whichever data is finally proposed by the Bill, we cannot tell you exactly how many seats there would be. We would have to run the formula that Tony referred to, and that would allocate between the four countries.

Q6 David Linden: I also want to ask a question that I appreciate may be slightly more technical, but pretty much all of us on this Committee are probably minded that way. I understand that there are limits on how often hearings can be conducted for the Boundary Commission, and I think that at one point Scotland was limited to four or five hearings. I know that in evidence to the Public Administration and Constitutional Affairs Committee, Professor Henderson said that that was problematic for the Boundary Commission in Scotland. Is it still the view of the Boundary Commission that the limit on hearings is problematic?

Isabel Drummond-Murray: It was problematic in the last review, because the public hearings were held during the initial consultation and that meant that you were trying to guess in advance where there was likely to be particular interest. You were trying to cover the geography and population of Scotland with five hearings, so if you held one in Edinburgh and one in Glasgow, you then had a large area to cover with the three remaining ones. The Bill proposes holding public hearings and a secondary consultation, which will help, because we will then have an idea of whether to hold the ones outwith the central belt in, for example, Inverness or Hawick. You just cannot tell. There is still an element of guessing, from the responses received, as to where people really want to come along and discuss in public what we propose, but yes, that will help. I think six also helps, geographically.

Q7 David Linden: Continuing on that theme of geography, which is obviously a challenge in rural Scotland, quite a number of us, regardless of what party we are in, were quite alarmed at the size of the proposal for what would be a Highland North constituency. Can you tell the Committee a little bit about how you got about

drawing up constituencies in that part of the world, particularly in relation to the 12,000 sq km or 13,000 sq km size, as is the case with one constituency in Scotland at the moment?

Isabel Drummond-Murray: We start the review by allocating loose groupings—they are not set out in legislation, but they enable us to divide up the country. As a preliminary step, we always look at the highlands first, because of the rule that an area bigger than 12,000 sq km can go below the minus 5% threshold. However, because of the way the legislation is worded, you would only need to go below that 5% if you could not reasonably construct a constituency otherwise, but we could. We found in the 2018 review that it was possible to stick within that plus or minus 5%, despite its being a very large constituency. I think Highlands North was the only constituency proposed in the 2018 review that was above 12,000 sq km, which is obviously geographically very large.

Q8 David Linden: It would be very difficult for Members to cover as well. My final question is on the idea of building constituencies not necessarily based on ward boundaries but on polling districts. Do you have a view on that, and how that would work in Scotland?

Isabel Drummond-Murray: We do not use polling districts, in part because there has not been an available Scotland-wide, up-to-date dataset that we could access. We create our own postcode datasets, so when we come down to split below ward level, if necessary, we do it on the basis of postcodes. We have always been able to split wards in Scotland, if necessary.

Q9 Christian Matheson (City of Chester) (Lab): Can I ask both witnesses how they prioritise the various different factors, for example, the numbers and the tolerance, the geography and the communities of interest? How do you weight each of those, and what process do you use to draw those up?

Tony Bellringer: In essence, there are two categories. One is mandatory—the plus or minus 5%—which we have to stick to and is obviously our primary factor. About half a dozen other statutory factors are set out in schedule 2 of the Parliamentary Constituencies Act 1986. We do not prioritise any of them formally. I guess we would look first at the rule about having regard to existing constituencies. So far as possible, we actually start off by asking how many constituencies that are currently there already fit the plus or minus 5% and whether we can start by not changing those. We then look at those that are not within the plus or minus 5% and think, “Okay; that is going to have to change, and that is going to have to change”. That is why you often find, unfortunately, that you may be sitting as an MP in a constituency that perfectly meets the plus or minus 5%, but your constituency changes because some of the neighbouring ones have to change and have to take in some of yours, or vice versa.

As I say, we do not have a firm ranking, but we then probably look at local ties. To a certain extent, you would expect existing constituencies to have already respected local ties, which is why it is not higher, because local ties are generally what people feel most strongly about—in fact, probably more than the numbers, to be honest. They accept the principle of electorate parity, but if you ask most people on the ground, they are more

concerned about their local communities being split off from each other in the drawing of the lines. That is what the vast majority of responses to our consultation are about, so we do look at whether we are breaking local ties.

There is also the obvious map factor of physical geography and what are termed significant geographical features. River estuaries, mountain ranges and motorways are fairly obvious bits of physical geography that can have quite a significant impact on how you would want to look at drawing a constituency. Is that enough for you?

Christian Matheson: It is, yes, thank you. Ms Drummond-Murray wanted to answer as well from the Scottish point of view.

Isabel Drummond-Murray: It is a broadly similar process. As Tony said, you weigh up the factors and go through the process of the various consultation rounds. That is an important part as well: whatever we have weighted or not at the beginning, by the time we go through the consultation, it is all open to change. In the 2018 review, by the end, only 10 of our mainland constituencies were unchanged from the initial proposals. Whatever we do at the start is open to public views on things such as local ties, names and so on.

Q10 Christian Matheson: Can I ask both of you—it may sound like a pointed question, but it is not intended to be—whether you ever feel that you have got it wrong? I will give a couple of examples. In my area, the notorious proposed Mersey Banks constituency attracted quite a lot of opprobrium and obloquy. One of Mr Linden’s colleagues, albeit under the 600 distribution, talked about having a constituency that would be equivalent in size to, in England, the area from Westminster to Nottingham. Do you ever think, “Flipping heck, we didn’t that do very well there”?

Tony Bellringer: Er, yes. [*Laughter.*]

Isabel Drummond-Murray: I was going to say that we never get it wrong—we have a technically correct proposal—but as I say, in consultation, we listen to people’s responses. Certainly, in our initial proposals, we set out constituencies that were very unpopular and we listened and changed them where we could. You are then constrained by how much you can change within the legislation and all the knock-on consequences of the change that you also have to throw into the mix.

Tony Bellringer: To clarify my initial flippant response, it is largely as Isabel says. You could almost say that we deliberately put some proposals out there at the initial consultation stage that are quite radical and, yes, get quite a lot of negative responses—Mersey Banks is a classic case. The other one that I have had to talk about quite a lot is moving the city of Gloucester out of Gloucester in the 2013 review.

We do that in the full knowledge that it is only the first round of consultation and people will tell us if they genuinely think it is a really bad thing to do. There are actually reasons for doing those things, but as I mentioned earlier, you are somewhat constrained by what is happening around that constituency. It might not be an ideal solution for that constituency, but it might have allowed us to solve a number of issues in neighbouring constituencies. It is not ideal, but we put it out there and

test the water, because it is the first stage of consultation and we know full well that if we get a huge pushback on it, we will change it to something better.

Q11 Christian Matheson: Is it not better to try to get it right first, rather than be a bit provocative and stir up public interest? Is it not better to get it right first so there are fewer changes?

Tony Bellringer: Yes. We would like to get it right first, but we are cognisant of the fact that if we do not get it exactly right first time, we have a process whereby we can correct it.

We genuinely do not know. We feel that it is probably going to be unpopular in that particular constituency, but, as I say, we have had to do it there. We think that, as a whole in the wider area, it provides a better solution. It is not a good solution for that constituency, but any alternative we have been able to come up with creates problems in those other constituencies. As an overall balance, we think that is probably best, but we recognise that you are not going to like it if you live in that particular constituency, so let us test the water and see what the general public opinion is in that area. Everybody in the area could come back and say, “No, there’s a better option.”

Q12 Christian Matheson: A final question from me, Chair.

The Chair: This is your third “final”.

Christian Matheson: I will not push it to a fourth. Do you have any consideration of constituencies that have multiple local authority areas? Some Members represent two local authorities and others represent three. Do you have any rules or guidance on minimising that?

Tony Bellringer: Yes. One of the statutory roles is having regard to local authority boundaries and local government boundaries. As far as possible, we try to limit the number of local authorities that the prospective MP of the proposed constituency will have to deal with. That is very much in our mind.

The Chair: Isabel, did you want to add something?

Isabel Drummond-Murray: No, I was just agreeing. That would be the approach we would take, too.

Q13 Mrs Maria Miller (Basingstoke) (Con): It is a great pleasure to serve under your chairmanship, Mr Paisley, on what I am sure will be a really interesting Committee. I thank the witnesses for the responses they have already given, and the inevitable hard work they are facing in this area.

Can I follow up on one of the responses to David Linden’s questions, about splitting wards to do what this Bill is trying to do, which is to create equal and updated boundaries across the whole of the United Kingdom? I speak as one who represents a constituency of 83,000 people—well in excess of what I am sure will be the eventual quota. Isabel was talking about the importance in Scotland of using postcodes to try to get some sense of equalisation. Could Mr Bellringer outline for the Committee what the approach is to splitting wards in England, and whether any experts have looked at this to give us advice on what is a good process to follow, particularly when it comes to polling districts?

Tony Bellringer: As I mentioned earlier, we have traditionally had a general policy of using wards as our building blocks. However, as you will know from the previous couple of reviews, there have been instances in which we have been prepared to split a ward to solve a problem in that area.

As Isabel alluded to, the difficulty in England is that we do not have access to a comprehensive dataset below ward level that contains the parliamentary electorates and associates them with the boundaries of whatever that unit is—a dataset that we can then manipulate in the software and quickly move those units around to recalculate the figures, because that is how it works. When we split a ward in England at the moment, we have to go back to the local authority and get the detailed breakdown, usually on a polling district basis, and manually calculate those figures, which really slows the process. If we were to move to a much more open process of using sub-ward-level units as our building blocks, we would have to source that data from somewhere.

Q14 Mrs Miller: If you can do it in Scotland, why can you not do it in England?

Tony Bellringer: At the moment, we do not have the postcode areas in England. We would have to create them; they could be created, but it would take an awfully long time to do.

Between the 2013 and 2018 reviews, one of the things with which we kept ourselves occupied was constructing a polling district-level dataset with the help of Ordnance Survey, in order to map those figures against the actual polling district boundaries. That is almost the most difficult part of the process. We sort of have the figures already because we have access to the actual registers, which are usually subdivided by polling district. However, the polling districts are not mapped in a consistent way and we have to be able to associate the electorate figure with the actual boundary of the unit you are working with, so that when you move the unit, the numbers change accordingly. You need to have mapped those polling district boundaries electronically. We did that process, and it took us and Ordnance Survey about two years to map every polling district in England.

Q15 Mrs Miller: May I probe a little further? We are talking about democracy here, so it is pretty important that we get it right, and a bit of extra hard work and extra IT is what the electorate would expect to get a democratic process. I still do not really understand why you are not doing this, particularly given that I know exactly what the boundaries of my polling districts are, so I do not understand why you do not.

Tony Bellringer: As I say, we went through the process between 2013 and 2018, so at one point in time we had a polling district dataset that we could use. However, as you know, polling district reviews happen all the time across the entirety of England, so that single, comprehensive polling district dataset goes out of date almost instantly. There has to be a way of keeping it up to date. At the moment, that requires us to know who is doing the polling district review and when, so we can go and find out what they have changed it to. Do they have it mapped? No—then we need to get somebody to map it into the system. At the moment, there is no process by which the results of a polling district review are notified either to us or to Ordnance Survey so that it can be incorporated and the dataset can be kept up to date.

Q16 Mrs Miller: Mr Paisley, I do not know if this will help, but it might be useful if the commission provided the Committee with a note on the issue and how it could be overcome. Just because it has not been done before does not mean that it cannot be done in the future, and I think this piece of legislation demands that it be done now. Could I suggest that we ask the commission to provide a more detailed note on how this could be done, with any costings that might be appropriate?

The Chair: You are being asked to write a wish list on this issue. Could you do that for us?

Tony Bellringer: Yes. We did actually approach the Government at the time. We have kind of done the work to build that and issue one. There is a requirement for a local authority that does a polling district review to publish the findings, but they just do that by publishing it on a website, and it is also not necessarily in a mapped format. All it actually requires is a bit of something tacked on to that legal requirement to publish, which says, “You also need to send it to Ordnance Survey and the Boundary Commission.”

The Chair: Could you give that to us within two weeks?

Q17 Mrs Miller: And any suggestions of changes in the law to do that would be really helpful.

Can I ask one other question—will you indulge me, Mr Paisley? I noticed that the commissions try to minimise the disruption to existing boundaries in its proposals, which is obviously a sensible thing to do. I also noted that it has said in the past that the commissions are not obliged to shut their eyes to likely future growth. That is particularly noted in section 40 of the guidance that was produced at the last review. Will both commissions outline their approach to the next review and whether it will be the same sort of approach? I declare an interest in that I represent a part of the country that is building a lot of houses. To propose boundaries that will inevitably be changed radically in the future would seem to be a waste of the commission’s time.

Tony Bellringer: Immediately before we start a review, the commission meets representatives of political parties to talk about how it plans to operate its internal policies within the framework of the statutory requirements, and that is an example of the kind of thing that we would be talking about with them.

It is unlikely that it would change significantly. The fundamental principle in doing this work is that you have to at some point draw a line and say, “That is the data that we are working with.” You cannot build a house on constantly shifting foundations and so you have to say, “That is the data and we are going to work with that data.”

At the same time, where we are looking at competing options in an area, if one is obviously more suited to an area that is clearly growing in population—maybe we know that from strategic planning approvals that have gone through in the area—that will veer us towards that option as the preferred option. That is really what it means.

What we cannot do is say, “Well, okay, the electorate that we are supposed to be working with is this and the electorate is now this, so let’s use that instead.” We still have to stick to the original electorate figure, but be alive to the fact that it is clearly growing and can be

demonstrated to be growing. That is quite key as well—we draw a distinction between proven growth in an area and projected or speculative growth in an area.

Q18 Mrs Miller: Presumably, it would affect your geographical boundaries, which may not have live bodies in yet, but will in the future.

Tony Bellringer: Yes and no. The distinction I am trying to draw here is that if you have had a strategic planning development approved and it has been built and people have started to move in, you can say that those figures have changed—it is clearly growing. Even though those figures have derived from a point in time after the electorate data that we are supposed to be using, there is a clear indication that the area is growing. If you have had a strategic planning development approved, but it has not been built yet at the time we are doing our review, we might go, “Well, it is not as convincing.”

Q19 Mrs Miller: And in Scotland?

Isabel Drummond-Murray: I do not think there is much to add to that. We have to work with the electorate as set out in the legislation. On the local government side—I am also secretary to the Local Government Boundary Commission for Scotland—the legislation sets out that we take account of the forecast for five years.

That all points to the need for regular review. We draw a line when we know there is going to be growth and there is capacity to absorb it through the existing 5% tolerance. I guess we could take account of it, but it is not something that has featured particularly on the parliamentary side, simply because of the way in which the legislation is drafted. We use the electorate at the start of the review; we do not guess what the electorate will be at a point in the future.

The Chair: We have four more questions and about 11 minutes on the clock, though I will push it on to get all the questions asked, because the evidence we are getting is very good for the inquiry.

Q20 Alec Shelbrooke: It is a pleasure to serve under you, Mr Paisley.

Thank you for your evidence, Mr Bellringer. It has been really informative. I want to explore the building blocks further. To pick up on the polling district, you said that you had done a piece of work and commented that it was difficult to stay on top of the reviews that came through—to be able to understand them—but, as you have also just outlined, you cannot build on shifting sands. At some point, you have to draw a line. In terms of using polling districts to build in this review, do you have a set of data sat there that you could use?

Tony Bellringer: Not this time round—because it was so expensive last time, in time and money, in the resource that had to be put in to develop it, and yet it was so instantly out of date. In the actuality, when we came to it, because in the last review we were still using wards as our building blocks—it is still our general policy to use the wards as the basic building blocks—we only split half a dozen in the final recommendations. So the times that that would need to be used under our existing policy are few compared with the amount of time and effort that needs to go into producing it, and given how quickly it goes out of date, we just felt that it was not worth doing this time around.

Q21 Alec Shelbrooke: Your evidence is based on 600, of course, so a much bigger size. I am a West Yorkshire MP, but to look at Yorkshire as a whole region, if I take the situation in North Yorkshire, building as you say on consideration of rivers, mountains and motorways, the constituency in Richmond is knocking almost 85,000—according to the figures up to this point, which we were using in November—and you have to bash around all the North Yorkshire seats to get them roughly into an area. That means, if you are going to go with wards, you cannot get around the fact that you will have big mountain ranges in the way, that people will have to leave the constituency to get to other places in it. I am thinking one of the solutions is the Great Ayton ward in North Yorkshire, which you can look at to come into Thirsk and Malton, to make the numbers add up. The knock-on effect goes down and into West Yorkshire.

It is important that we get some steer on how you could get away from using wards, which is a tradition—it is not legislated that it must be wards—because it negates having to go outside the 5%, which is another Organisation for Security and Co-operation in Europe recommendation, that for free and fair elections seats should not vary by more than 10%, and would allow the objective of keeping communities together, of keeping county constituencies together and away from borough constituencies. In my city of Leeds, my seat is a county constituency; the other seven seats are borough constituencies. That would be giving regard to keeping those existing seats together.

I am asking both commissions about the practicalities of what recommendations you would make to the Committee before we finalise these laws—how to get to a situation in which you can use the smallest building blocks to cause the minimum disruption, which is what you are really after when looking at constituencies. I am seeking some comment on that. Mrs Miller explored it well, but just outlining—

The Chair: I think he has got the question, Alec. We are really appreciative.

Tony Bellringer: The policy of using wards is fairly long standing, and it has always been discussed with the representatives of the political parties in the meetings before each review commences. In the past, they have generally been supportive of that. It goes to the statutory factor of having regard to local authority boundaries, because a ward is a local authority boundary. We view a ward as almost a representation of a local tie; generally speaking, when the Local Government Commission does its work it should try to bring people of the same communities into one ward. We use that almost as a substitute.

Q22 Alec Shelbrooke: I have one more question for both commissions. When you have a large constituency and perhaps have different authorities within it, has any member of the public ever made a complaint about other parts of the constituency, which may be tens or hundreds of miles away from where they live? Are their complaints based around their local community? Do you get complaints from elected politicians or members of the public about other areas of the constituency in those purer terms, or is it just about their local areas? Does it really matter to a constituent what the rest of the constituency takes in, as long as their local community is kept together?

Isabel Drummond-Murray: We certainly had a number of complaints about large constituencies bringing together communities that did not feel that they had anything in common with each other. Where possible, we made changes to reflect that. The tight tolerance of 5% meant that, initially, we had to come up with some ideas to put out for consultation. For example, we had a constituency in our initial proposal that stretched from rural south Perthshire down to urban Fife. There was very much a feeling that, “We do not have anything in common with that part of the constituency.” So yes, I think people take account of more than just whether their local community is kept together; some people have concerns about other communities that they are associated with.

Q23 The Chair: Do you agree with that, Mr Bellringer?
Tony Bellringer: Yes.

Q24 Clive Efford (Eltham) (Lab): I think it is the first time in all these years that I have been on a Committee that you have been chairing, Mr Paisley, so it is a pleasure to serve under your chairmanship.

My question is about electoral registration. Do you find that it fluctuates between general elections? Do we get a higher registration level at the time of a general election, and should that be the point at which we count the population for future reviews?

Tony Bellringer: One of the few things that we do in between reviews is collect the electorates and see how they change from year to year, but we get only an annual snapshot. If it is around the time of a general election, the electorate numbers tend to go up. Unsurprisingly, people are encouraged to join the register and are motivated more to do so. I know there are arguments about the accuracy of the register at any given point in time. I do not feel qualified to comment on that, but it is certainly true that the numbers go up around the time of elections.

Q25 Clive Efford: You might not want to comment on this, but would it then make sense to calculate from a high point like that, so that it is perhaps more accurate at the next general election?

Tony Bellringer: If you are sure about the accuracy at that high point.

Q26 Clive Efford: Could I ask about your relationship with the Minister’s office when you are carrying out a review? The Minister said in her opening remarks that she was looking forward to working with you. How much information do you share with the Minister’s office? The Bill removes the final approval from Parliament, and we would want to scrutinise how much influence the Minister’s office can have on the process.

Tony Bellringer: I am very pleased to say that we hold ourselves up as a model of independence in the process. During the substance of a review, we do not share with the Government, Government officials or Ministers any information about the substance of what we are working on that is not communicated to the public at large.

Q27 Clive Efford: Were you consulted on the drafting of the Bill?

Tony Bellringer: They did communicate and trial some of the proposals in the Bill with us in advance. They sought our views, specifically on administrative points and on deliverability.

Q28 Clive Efford: Is what you provided to the Government publicly available?

Tony Bellringer: Those are not published, generally.

Q29 Clive Efford: Perhaps you could add them to the notes that you are sending us. May I ask about consultation? There was a lot of consultation in my area that seemed to go reasonably well. Then one individual did a mathematical calculation, not taking any heed of all the local arguments made about common interests and geographical areas, and the Boundary Commission plumped for that at the last minute after all the consultation. That makes the consultation very frustrating. How much weight do you put on local input into consultations over the interests of somebody doing a disconnected mathematical calculation on a map?

Tony Bellringer: We have been very clear in the past that we do recognise strength of local feeling. If there are lots of people locally saying a particular thing, that carries a lot of weight with us. However, it will not be an instant knockout if somebody comes up with what we feel is a very well argued solution that might not have been proposed by anybody else previously that in our view respects more of the different factors and across a wider area and provides a better solution overall—maybe not for an individual constituency, but overall.

Q30 Clive Efford: Could I add a last bit on the consultation and the issue of flexibility? When you hear the arguments about local ties and suchlike, are there occasions when, perhaps in a minority of cases, you would want to go beyond 5% and would want that flexibility in order to address that local concern?

Tony Bellringer: It is something that we always used to be able to do in the past and did do on occasion. Prior to 2011, there was not this hard maximum and minimum, but we would still be aiming to keep constituencies within a broad range. Occasionally we would breach that if we needed to, to provide a better holistic solution.

The Chair: Chris, you have time for one quick question.

Q31 Chris Clarkson (Heywood and Middleton) (Con): Thank you, Mr Paisley; it is a pleasure to serve under your chairmanship.

My question is about how to deal with county boundaries or sub-units within a region. It is specifically an English problem, obviously. I will take the north-west as an example because there are five discrete units. If we take Greater Manchester's current electorate—I am using the December 2019 figures—we can neatly subdivide it into 27 seats that are just on the edge of quota. However, there are basically 49,000 extra voters that you could take in from Lancashire, so at what stage do you make a determination on whether to start splitting wards and have a neat compact unit within one county? Or do you start looking across county boundaries?

Tony Bellringer: As Isabel suggested, we have our nine regions in England, so we work within the regions. We start off by subdividing that as well, and we largely try and work with county units. As far as possible, we start off by trying to keep within county boundaries, but we might need to put a couple of counties together because we know that if you just do that initial mathematical calculation distribution, they end up with halves of

constituencies in both counties, for example, and that will not work mathematically. You cannot have the smaller number or the higher number in either because they would be either too small or too big.

Q32 Chris Clarkson: What formula do you use to calculate how you divide between those sub-units? Is it just a Hare formula and you divide by the quota?

Tony Bellringer: We use the same distribution formula that is used to allocate the seats across the UK initially. We do that for the regions, and within the region we work out what we call a theoretical entitlement: if you use this agglomeration of a couple of counties, it would be allocated this many seats on the face of it.

Q33 Cat Smith: Do you have any concerns about polling districts having no legal standing and are just advised by local authorities for the administration of elections?

Tony Bellringer: I do not think that it makes a huge difference to us if they do not have a legal standing. They are a recognised administrative unit, as you say, that is used by electoral administrators in the delivery of an election. That is another reason why at the moment we use wards, because, although they have more of a legal status in law, they are used as a unit by the electoral administrators to deliver elections. One thing that we do have a mind to is that somebody has to use this constituency in delivering the election, and we want to make that process as smooth as possible for the people actually running the election as well.

The Chair: I am afraid that that brings us to the end of this session. As usual, it got more interesting as time went along. We probably could have had much more time, although I am sure that our two witnesses are very pleased that there is no additional time. However, it shows that there is considerable interest in this issue. More expert witnesses will come along now, so we will be able to continue some of these lines of questioning. I thank our two witnesses for coming today—you have been brilliant, informative and very helpful to the Committee. I thank you for your efforts.

Examination of Witnesses

Shereen Williams MBE gave evidence.

12.20 pm

The Chair: We will now hear from Shereen Williams, who is on the line. Shereen, can you hear us?

Shereen Williams: Hi. I can hear you.

The Chair: You are very welcome. We are sorry for keeping you for a couple of minutes. I was only allowed to run over because we had a technical issue with bells ringing, and I felt that we lost a couple of minutes. We will not let that little technical difficulty deny you that time at the end of this either. Introduce yourself, and then we will move on to the Minister.

Shereen Williams: I am Shereen Williams, secretary of the Boundary Commission for Wales. I took up the role in January 2019, and I also head up the joint secretariat for Local Democracy and Boundary Commission for Wales, which is responsible for local government boundaries.

The Chair: Thank you. I will call the party leads first, and then I will take questions.

Q34 Chloe Smith: Good morning, Shereen. It is very good to have you with us; thank you very much indeed. I repeat to you the note of welcome that I sounded to your two predecessor witnesses. Mr Paisley, if I may, I put it absolutely clearly on the record, in response to something that Mr Efford hinted at, that boundary commissioners and their civil servants are independent of Government. I am absolutely clear that only in the most general sense do I say that civil servants work with them. There is nothing more to be read into that. For the sake of the record, the Boundary Commission for Wales is a non-departmental public body of the Cabinet Office. I make that clear at the outset.

Shereen, may I ask about how you hold public hearings? We have gone through some more general discussion with your two predecessor witnesses, so perhaps we might turn to this angle with you. As you will be aware, the legislation proposes moving the timing of one of the public hearings but maintains very firmly that there should be ample public consultation, which we think is really important for public accountability and public involvement. Perhaps you might give us some insight into how you manage that for Wales.

Shereen Williams: The challenge we have had in the past is that we have to pick the five areas in which to hold the public hearings quite early on, so we have to guess which areas might have the most challenge, in terms of proposed constituencies. It is hit and miss. Sometimes you could be there for two days, and you would have one full day of people turning up for the public hearings, and the next day there will be a much smaller number. It also uses up a lot of staff resources and the time of the commissioners.

The Bill proposes that that is done as part of the second round of consultation, which would give us a bit more flexibility on where we should physically choose to have these public hearings, based on the feedback and representations we get in the first round of consultation. For Wales, it is very important that we have an appropriate spread across the whole country, to make sure that people can get to a public hearing if they need to.

Chloe Smith: Thank you, Shereen. I will pause there and let other colleagues take over.

Q35 Cat Smith: Wales presents a unique geographical issue due to its large, sparsely populated areas with seats that have a much larger acreage. I am thinking of Brecon and Radnorshire, Montgomeryshire, Carmarthenshire—all those rural areas with very large seats. However, you also have the geography of the south Wales valleys, with each valley currently tending to have its own constituency. Given the population change in Wales over the past two decades from when the data was last used, coupled with the very tight 5% quota, the new review is likely to mean that there will be quite a lot of change in Wales. We will potentially see constituencies with more than one valley and a mountain range in between. Are there any geographical features, such as those valleys, that you consider a priority issue when it comes to drawing Welsh boundaries?

Shereen Williams: The challenge that we have in Wales is that whether we go with 600 seats or 650, Wales will take the biggest hit in terms of loss of constituencies.

It would mean, I think, a massive change: across the whole country, I cannot guarantee that even seats that fit within the current limits will be able to remain intact. That is the challenge we have in Wales; the 5% does give a very tight range for us to work around.

I think the valleys will present a unique challenge for us, because you do not really want to split a valley and have half in one seat and the other half in another seat. It will require us to look at our building blocks and how we work on that, getting input from local communities and from local authorities—from our stakeholders—and asking, “If we had to go down the route of splitting a valley, what is the best combination to work?” I am aware that we had the exact same problem at the last review.

Q36 Cat Smith: Would it be easier with a wider range of percentage away from the electoral quota? Would you find that community ties would be better reflected by having a wider range?

Shereen Williams: It would give us more flexibility, yes, to put communities together, but again, I think it is very clear that, as an independent body, we do not have a view as such on the electoral quota; that is something for our MPs to make.

Q37 Ben Lake (Ceredigion) (PC): Thank you, Shereen, for joining us. I want to follow up the line of questioning about how constituencies or proposed new boundaries are formulated. I am interested in how the commission approaches some of the statutory factors listed under rule 5 and, in particular, local ties. Could you elaborate a little on what in practice the commission has to consider under “local ties”?

Shereen Williams: From the commission’s perspective, it is about communities that are together. We look at your electoral wards and communities that are linked through joint programmes and projects. Also, quite uniquely, in Wales, as you are very aware, is the Welsh language. We take it into account that you have constituencies where there are lots of links to the Welsh language. That is something we would like to keep together. That, for us as a commission, is what we would consider a community tie as well.

Q38 Ben Lake: That is great. I appreciate that there is a range of factors and that it is difficult to balance all of them. Indeed, the report that the commission published in response to the last review mentioned that the reduction from 40 to 29 seats in Wales would make it particularly difficult to reflect all the factors in rule 5. I appreciate that it is a little early, at the moment, to truly know how many seats Wales may or may not have, but how much of a difference would it make, in terms of your work in appreciating all the different factors listed under rule 5, if Wales were to receive more than the—well, the previously proposed 29 seats?

Shereen Williams: I think it will be just as complex as the previous reviews, because we are losing quite a lot of seats. If you lost one or two seats, it might be easier to amend existing constituencies by adjusting, making small boundary changes, but the fact that the number is a bit bigger—if you lose eight rather than 11, that three will help slightly, but the complexity will remain the same.

Q39 Jane Hunt (Loughborough) (Con): It is a pleasure to sit before you, Mr Paisley. I have a couple of questions, Ms Williams. First, the same phrase has been used in your session and in the session before. The reference has been to having a “very tight 5% quota”, but in fact that means a 10% variance. I wonder what you think about equal vote, equal value versus a larger variance, which would mean fewer constituents in one constituency and a much larger group in another if there were a more than 10% variance, and how those constituents would feel about that.

Shereen Williams: I do not think that is something I can possibly comment on. As a commission, we are given the rules to work with, so it would not be up to the commission to comment on something like that.

Q40 Jane Hunt: Okay, but you talk about a “very tight” 5% quota, and that is something you will also be given if this measure goes through, so how would you then deal with it?

Shereen Williams: In the past, we have made full use of that plus or minus 5% to make sure that communities are kept together. If the variance is changed, we would still use the same practice where possible. A constituency could have exactly 0% variance or minus 5%, minus 4%, minus 3% or minus 2%. We would work within those parameters in helping communities stay together. That would be our limit.

Q41 Jane Hunt: Ward splitting was referred to previously. How would that work in Wales? There was some reference to some wards being too large, which gives me the idea that single-seat wards would be a good idea for the future. How would that work in Wales? Are there areas where local government wards are too large?

Shereen Williams: Like our colleagues in England, Scotland and Northern Ireland, we use electoral wards as our building blocks. However, if there was great difficulty, we would use community wards within the electoral ward. In the past, we have put forward proposals where one or two parliamentary constituencies had a split ward in them. It is a route that we would rather not take because it creates confusion for voters when you have a different local authority and a different parliamentary constituency compared with somebody who is in the same electoral ward as you.

Q42 Mrs Miller: I start by thanking Shereen for her evidence today. In your evidence, you have highlighted the specific challenges in Wales because of the beautiful geography you have. Can you and the Welsh commission learn from the experience in Scotland, when they undertook a very significant review of boundaries in the '80s—I am sure Scottish members of the Committee can remind me exactly when that was—when there was major reorganisation? It is a challenge, but it is one that has been successfully undertaken in Scotland and perhaps now the challenge falls to Wales. Is there any learning you can get from that?

Shereen Williams: The four Boundary Commissions are in regular contact. We rely on each other and we share good practice on a regular basis. In terms of those changes that have taken place in Scotland, I cannot

imagine why we would not be able to invite Scottish colleagues to present to commissioners and to inform our thinking on how we deliver this report for Wales.

Q43 Mrs Miller: Sorry—that major change happened prior to 2005, actually. It is really reassuring to hear your comments.

Going back to the question that my hon. Friend the Member for Loughborough raised about splitting wards, it is interesting that that seems to be something that can happen in Wales and Scotland, although the procedures are not as easy as they might be. We heard that from the commission in England. Would you be able to advise the Committee about working with Mr Bellringer on what would need to be put in place to ensure that, if it was helpful, sub-ward-level splits could take place? Would you be able to provide some more information for the Committee on that?

Shereen Williams: Scotland and Wales’s challenge is significantly different from England’s because of the number of electorates. Tony has to co-ordinate in terms of trying to get all the parliamentary constituencies set up for England. In Wales, we are used to splitting wards because we tend to do that for our local government boundary reviews, so we are quite comfortable with the practice of breaking up electoral wards and splitting up communities into sub-wards in order to create electoral wards—this is going back to community wards. In terms of sharing that practice with Mr Bellringer, that would not be an issue, but I have to acknowledge that he has a far more difficult job in hand compared with us in Wales and Scotland.

Q44 Mrs Miller: Very finally, in Wales you have the wonderful Ynys Môn constituency, which is the second-largest island in the United Kingdom—I am nervously looking at the Chair here—or maybe the third, depending on how you view Northern Ireland.

The Chair: Rathlin Island. I think you are right.

Mrs Miller: I wondered whether, as somebody who was brought up in Wales and understands the importance of cultural identity within the Welsh nation and the psyche, you have thought further about how that constituency should be treated. I am a Hampshire MP, and the Isle of Wight gets particular protection because of that.

Shereen Williams: That would be something for Parliament to decide as to whether Ynys Môn becomes a protected constituency, as they have in Scotland and the Isle of Wight. It would not be for the commission to comment on that.

Mrs Miller: Understood. Sorry, I have probably pressed you too far on that.

The Chair: Shereen, thank you very much for your wonderful evidence and, more importantly, for getting us back on time. You have made my chairmanship so much easier. Thank you for giving us your time this morning.

Shereen Williams: Thank you for having me.

Examination of Witness

Eamonn McConville gave evidence.

12.40 pm

Q45 The Chair: We now move to our final witness before we break at 1 o'clock, who is Eamonn McConville. He is the secretary to the Boundary Commission for Northern Ireland. Eamonn, you are very welcome. Please introduce yourself.

Eamonn McConville: My name is Eamonn McConville. I am the Boundary Commission secretary for the Northern Ireland commission.

The Chair: Could you speak up a little for us? It is not a problem I have, but it is one that some other people have.

Eamonn McConville: Sure, no problem.

The Chair: We will move to the Minister first, then to the main party spokespeople, and then Shaun Bailey is the first on my list for this section.

Q46 Chloe Smith: Thank you for joining us this morning, Eamonn. It is excellent to have you with us. Can you help us to understand some of the differences that apply to your work compared with that of the other boundary commissions? I am talking from the premise that we are extremely keen to bring about equal and updated constituencies that apply within and across all the nations of the United Kingdom, but it is a fact that in the pre-existing legislation, particular provisions are made for Northern Ireland. Would you be able to talk us through those and why you think they are important?

Eamonn McConville: Yes, Minister. Northern Ireland is obviously geographically the smallest part of the United Kingdom, so we literally have less room for manoeuvre when it comes to creating our modelling of the constituencies. That can be compounded by the effects of rounding during the calculations under rule 8, when it comes to allocating constituencies to each part of the UK.

That can leave us restricted in our ability to create the correct number of constituencies under rule 2. The legislation does currently, and I think the new legislation does prospectively, include a small degree of flexibility that allows us to fall beneath or outside of the plus or minus 5% tolerance from the electoral quota, but as I say, that is there because it recognises the mathematical conundrum that can sometimes present itself in Northern Ireland.

Q47 Chloe Smith: Thank you, Eamonn. May I also invite you to say a little about the way in which the parliamentary constituencies link to the Assembly seats, for the benefit of the Committee?

Eamonn McConville: The parliamentary constituencies create the boundary under which the Northern Ireland Assembly constituency areas are formed. They are further subdivided into five areas for the Northern Ireland Assembly elections. There is that coterminosity that does not exist, for example, in Scotland.

The Chair: For clarity, Eamonn, you said five areas, but do you not mean five seats in each constituency?

Eamonn McConville: Five seats, yes. Sorry, Chairman, that is exactly what I meant.

Q48 Cat Smith: I would like to ask a bit about how coronavirus might impact on the work of the commission. Given the slightly contracted public consultation period, has any consideration been given to how that work might be done if social distancing is still in place?

Eamonn McConville: The most pressing impact of covid-19 for ourselves in Northern Ireland is in relation to the recruitment and training of staff ahead of the commencement of the next review. There are obviously practical implications of being face to face while still maintaining social distancing, but there is the added difficulty that commission staff are seconded from other Departments. That is our normal practice. Those Departments are under pressure to resource their response to covid-19 and to Brexit, which is coming down the line. There is a real difficulty facing us at the moment in terms of getting staff in and trained in time for the next review, but we are working with Departments on that.

Q49 Cat Smith: What kind of timescale were you planning for the recruitment and training of staff?

Eamonn McConville: We had hoped to recruit the first of the staff by September. We are a small team, so we plan to get the remaining two staff in by December of this year. We are still within a reasonable window, but time marches on fairly quickly when dealing with recruitment processes and getting staff released, so we are keen to get that work under way.

Q50 Cat Smith: If I may take a different line of questioning, obviously there are unique community issues in Northern Ireland, which we all understand. How would you take those into account when drawing boundaries? Does having a tight margin make that particularly difficult, in terms of percentage variance from the electoral quota?

Eamonn McConville: During our public consultations, people are free to put forward whatever local issues or local ties pertain to themselves and their local areas. The one thing that we cannot take into account—is anything that would affect or is influenced by electoral trends, electoral outcomes and things like that. Anything that would fall under a local tie is valid, in terms of what we would consider.

The second part of your question was on the electoral quota range. Again, as my colleagues have told you, the 5% presents issues in terms of accommodating local ties more roundly across Northern Ireland. As I said earlier to the Minister, we have the flexibility in rule 7 in terms of geographical limitations, because of the particular circumstances in Northern Ireland. It is interesting to note that the flexibility in the 2018 review would actually have come within the plus or minus 7.5% that has been discussed previously by other people. It is not a huge degree of flexibility, but it does allow us—when we are restricted in circumstances under rule 2—to have a certain degree of flexibility.

Q51 Shaun Bailey (West Bromwich West) (Con): It is a pleasure to serve under your chairmanship, Mr Paisley. Northern Ireland underwent significant local government reform about five years ago, and the number of local authorities was reduced from 26 to 11. I wonder whether any lessons were gleaned from that experience. Could

that work be cross-applied as the boundaries are reviewed here? Linking to the point about communities, what were the community considerations that came out of that, or were gleaned from any cross-discussions that you had?

Eamonn McConville: You are absolutely right that we now have the 11 local government areas, but we are working with different factors. In the last review, the 2018 review, we had 17 constituencies. While our considerations would have included trying to fit as many whole parts of local government areas into the 17 constituencies, the mathematics just do not allow for that, so we then take on board the other factors, which include local ties.

In Northern Ireland—it is similar across the UK—we have more major towns with satellite towns and villages around them. That is one thing that came to the fore in our consultation process, and we tried to accommodate that in our proposals as they went through the various consultation stages. There are similarities, but clear differences, simply because of the rules that we operate under.

Q52 Shaun Bailey: We have heard a lot from the Boundary Commission for England in particular about how it is difficult to drill down to that local level. When you were going through that overhaul, I suppose in a way it was a bit of a blank canvas. I am interested to understand this from a data point of view. How did you go about acquiring the data from people? Was it a similar mechanism to what we heard about, utilising postcodes, or were you using other datasets? I am conscious of the community element, but I am interested to hear how that operated in Northern Ireland.

Eamonn McConville: Do you mean for our initial proposals, or as the process progressed?

Shaun Bailey: Yes, for the initial proposals, but perhaps you could say if you were diverted as the process developed.

Eamonn McConville: We operate with exactly—or very close to—the same operational methods as the other commissions. We all operate under the same legislation, with the requirement to carry out the three public consultations. As my colleague Tony said, the initial proposals are our best estimate as to what would be a good starting point. From there, we seek public views and, if required, we amend to accommodate those within the factors that my colleagues mentioned previously—local ties, geographical features, existing constituency boundaries. It is a very similar process to that outlined by my colleagues.

Q53 Chris Clarkson: My points dovetail nicely with my colleague's questions. We have been talking quite a bit about the necessity, or desirability, of ward splitting in England. Obviously, it is a slightly different situation

in Northern Ireland because, in addition to wards, you have electoral areas. I want to understand what you use as the principal building blocks for drawing the new seats—is it electoral areas or wards? If it is electoral areas, at what stage do you start splitting those back down to constituent wards?

Eamonn McConville: Our building block is set out in the legislation as the local government ward that exists. In Northern Ireland, our electorate in each of those wards is smaller than, for example, in England. Tony spoke earlier of wards with 10,000. Ours typically have 2,000 to 3,000.

We still face the issue of how small we are geographically, plus having Lough Neagh right in the middle of Northern Ireland, so there are times when we are balancing all the factors. Consideration of splitting a ward does arise, but, like my colleague, there is no ready-made data set through which we could split a ward. We have to take that into account, whether by looking at geographical features or through another method. For the last review, we decided not to split any wards.

Q54 Christian Matheson: Mr Bailey may have touched on this in his question about local government boundaries after the contraction. Mr McConville, what efforts do you make to keep the constituencies as coterminous as possible with the new boundaries? I asked two of your counterparts earlier about constituencies that cross over multiple local authority boundaries. I wonder if you have any views on that, too.

Eamonn McConville: It is really a matter of mathematics. We have 11 local government areas and in the last review we had to create 17 constituencies. It is one of the methods that we try to take into account, initially and as the process proceeds.

Simply from a mathematics point of view, it will require splitting off the larger local government areas into the various constituencies. As I said, as well as the local government areas, we will take account of responses that come in from the public to inform the proposals and the creation of the constituencies as the process proceeds through the review.

The Chair: Eamonn, may I take this opportunity to thank you for presenting us with this evidence and for giving us your time this morning? Right on cue, like a Swiss clock, you have managed to get us to the end of this session on time. I appreciate that. That brings us to the end of this morning's session. The Committee will meet again at 2 pm in the same room to take further evidence.

Ordered, That further consideration be now adjourned.—(Eddie Hughes.)

12.57 pm

Adjourned till this day at Two o'clock.

