PARLIAMENTARY DEBATES

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Public Bill Committee

PARLIAMENTARY CONSTITUENCIES BILL

Sixth Sitting

Thursday 25 June 2020

(Afternoon)

CONTENTS

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Monday 29 June 2020

The Committee consisted of the following Members:

Chairs: † Sir David Amess, Ian Paisley

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

Sarah Thatcher, Rob Page, *Committee Clerks*

† attended the Committee

Public Bill Committee

Thursday 25 June 2020

(Afternoon)

[Sir David Amess *in the Chair*]

Parliamentary Constituencies Bill

2 pm

The Chair: Before we start our proceedings, let me say that it is warm, which I am not complaining about, but the air conditioning does not work, so I have asked for fans. We have umpteen fans in the building, but we cannot get them quickly. I would go to the cupboards myself and get them out, but hopefully they will arrive. If Members want to take off their jackets or do whatever else they wish in order to be comfortable, so be it.

When we adjourned, Mr Efford was on his feet.

Clause 1

Reports of the Boundary Commissions

Amendment proposed (this day): 2, in clause 1, page 1, line 5, leave out subsection (2).—*(Cat Smith.)*

This is a paving amendment for Amendment 5, with the aim of maintaining the status quo of parliamentary oversight within the boundary review process.

2 pm

Question again proposed, That the amendment be made.

The Chair: I remind the Committee that with this we are discussing the following:

Amendment 3, in clause 1, page 1, line 14, leave out subsection (4).

This is a paving amendment for Amendment 5, with the aim of maintaining the status quo of parliamentary oversight within the boundary review process.

Amendment 4, in clause 1, page 2, line 16, leave out subsection (7).

This is a paving amendment for Amendment 5, with the aim of maintaining the status quo of parliamentary oversight within the boundary review process.

Clause stand part.

Clause 2 stand part.

Clive Efford (Eltham) (Lab): Thank you, Sir David, for calling me again to continue my contribution. I was saying that it is very important for us to have accountability in this process, and some oversight to make sure the rules have been followed.

I will give an example, which does not come from a parliamentary boundary review but from a local government boundary review that happened in my borough. The commissioner took it upon himself to make every ward come within a very tight percentage plus or minus. There were no requirements within the rules for that; it was a self-imposed ordinance that he decided he was going to follow rigidly, despite local protests. What ended up happening was that one of the wards, which had roughly 10,500 residents, was given 12 properties that were on the other side of the south circular and the other side of a large green in order to come within that tight number set by the commissioner—a limit of 3% or 5% that he had set himself, not the limit within the rules, which was 10% plus or minus. These 12 houses, which had no connection at all to the rest of the ward apart from being in the same borough, were forced to be part of that ward. That is the sort of decision that requires people to come back and say, "Wait a minute, what is going on here?" We need to have some oversight of decisions such as those, which is a good reason why we should not just set this in train without being able to oversee the conclusions that the officials and academics have drawn up.

When we were going through the process of reducing the number of MPs, a lot of people were opposed to that proposal. Let us be clear: it came after a period when MPs had been vilified because of expenses, and two very young, new leaders of their parties decided to jump on to that bandwagon and start kicking MPs. "We are too expensive. There are too many of us. Let's cut the cost of politics. Let's cut the number of MPs." It was an act of populism, and a very successful one, with those leaders trying to capture a political mood because they wanted to remove the Government of the time.

What came out of that was a proposal to go down to 600 MPs that had no basis in any science, or any review that had taken place; it had no basis in anything apart from the whim of these two young, ambitious politicians. It was a figure that was plucked out of the air and thrown into manifestos, and we were then lumbered with it. Of course, the Whips then came into play, and we ended up with legislation to reduce the House of Commons to 600 MPs and had to go through that process. Once MPs had looked into the abyss and saw what it all meant, Parliament came to its senses very quickly. I never supported that proposal, but when the first boundary review was released—we had two—I came out all right. I would have had quite a safe seat, with that review only adding a bit to my existing constituency, but I still opposed the proposed changes in principle.

The second review did not go so well. The problem was that the boundary commission started its deliberations in south-east London by saying, "The numbers in Bromley borough come to exactly three constituencies that can be coterminous with that borough." That was their starting point, and the rest of south-east London had to fall into line. That was a huge problem, and during the first review, local arguments managed to convince the boundary commission to change its mind.

The second time around, the same arguments were applied and the boundary commission came out with a set of proposals. Those went out for a second round of consultation, and then somebody who had nothing to do with all the local arguments and comments came up with a mathematical equation. They did the whole of south-east London on three pages of A4. Lo and behold, because that proposal was very close to the boundary commission's original proposals, the boundary commission flipped right back and we had a major upheaval in my part of south-east London. The commission did not listen at all to the arguments that had been made locally and had prevailed in two successive reviews of the boundaries until that point.

That is why we need to have a final overview. We cannot just abdicate responsibility for the process and leave our constituents without a voice. No matter how many people are cynical about it, we are accountable for what we say in this process. It is quite right that we, as the elected representatives of those people, should have some oversight of the final outcome, and that the commissioners should be accountable to Parliament for what they have done. The day when we just abdicate that responsibility is a dark one for our democracy.

The Minister of State, Cabinet Office (Chloe Smith): It is an absolute pleasure, Sir David, to serve under your chairmanship, as it was to serve under Mr Paisley's this morning. I shall in my remarks cover clauses 1 and 2 stand part, and amendments 2 to 4, and respond where I can to what right hon. and hon. Members have said.

Clause 1 deals with the timing of boundary reviews and the submission of the final reports by the boundary commissions. First, the clause provides for the next boundary review to take place according to a slightly shortened timetable. The clause sets 1 July 2023 as the date by which the four boundary commissions must submit their final reports. That means that they will have two years and seven months from the review date—the formal start of a boundary review—to complete the process and submit their recommendations. Usually, they would have two years and 10 months.

I will deal straight away here with a point raised by the hon. Member for Glasgow East. He mentioned the question raised by Professor Sir John Curtice about why there should be a difference between the period for the immediate next review that for future reviews. I hate to say it, but there is no great conspiracy. It was set out clearly in the pages of the Conservative party manifesto, which I know the hon. Gentleman will have had as his bedside reading day in, day out since 2019. He will know from it that we have made a commitment to repealing the Fixed-term Parliaments Act 2011. There is no secret. That legislation is inadequate and we are committed to repealing it. I will not go into further detail about that in this Committee—you would not want me to, Sir David—but it squarely answers the point. It is no great secret that according to that scheme there should then be the flexibility for the next general election to be called at the right time after July 2023, which is what is in the Bill.

The purpose of clause 1 is to give the best chance of having new constituency boundaries in place ahead of the next general election, whenever that may come. As witnesses such as Mr Peter Stanyon and Mr Chris Williams of the Green party reminded us, once the recommendations of a boundary review have been brought into effect, it takes some time for returning officers to implement the new boundaries, and for all others involved, including political parties, to make the necessary preparations to field candidates and communicate with voters. So we have to allow for that period before new constituencies will be put into use. It is not a fixed amount of time, but, as a general principle, we aspire to ensure that legislation is in place six months before a poll.. That was discussed in the evidence sessions.

As the Committee is aware, it is over a decade since the results of a boundary review have been implemented. Our existing Westminster constituencies are based on electoral data from the very early 2000s. That means that our current constituencies take no account of today's youngest voters, which is beginning to get ridiculous, nor do they reflect nearly two decades of democratic shift, house building and all the things we want a boundary review to consider. The purpose of the provision in clause 1 is to ensure that the next boundary review, which is due to begin next year, finishes as promptly as possible, without compromising the processes of the boundary commissions, including the extensive public consultation they conduct, which I will make a brief point about. We will discuss public consultation further as we go through the clauses.

The three-month reduction in timetable, in the case referred to in the clause, will be made possible by shortening the sum of the boundary commissions' internal operational processes. In addition, we propose to shorten the public consultation time for the next boundary review only from 24 to 18 weeks. I will address that in greater detail when we discuss clause 4, where that is laid out. I can say at this point that we have tested the proposition—a timetable of two years and seven months—with stakeholders, including electoral administrators, the parliamentary parties and representatives of other parties. There was a cross-party consensus that in this instance the change is beneficial and the right thing to do.

The second change introduced by clause 1 is to extend the boundary review cycle, moving the review from every five years to every eight. The intention here—my right hon. Friend the Member for Elmet and Rothwell touched on this—is to ensure that parliamentary constituencies are updated sufficiently regularly without the disruption to local communities and their representation that might occur if there was a review every election period.

Alec Shelbrooke: Does my hon. Friend agree that, as several colleagues have mentioned, it is really important that the boundary commissions takes notice of what is being said here? Hopefully, they will look at the arguments being made, whatever the outcomes are. It is all about communities and getting it right in the first instance—I refer to the comments made by the right hon. Member for Warley. If they can do that, they can shorten the timeframe and take notice, so communities can stay together.

Chloe Smith: That is very important indeed. I am confident that all four of the boundary commissions have been listening closely to the proceedings of the Committee since our evidence sessions, which they joined, and since then in our proceedings clause by clause. I know they will want to take into account comments made by hon. Members across the Committee, including how we can keep communities together and ensure that the public has that strong voice, which was the point I was making with regard to clause 1.

Clause 1 sets out that in future the boundary commissions will submit their final reports to the Speaker of the House of Commons. Mr Speaker is the ex officio chair of the boundary commissions. The reports will go to him rather than to the Secretary of State, as the commissions do now. The Speaker, not the Secretary of State, will lay the reports before Parliament.

We think that is the right change. It underlines the independence of the boundary commissions—a theme we will return to many times. It is right that the chair of

[Chloe Smith]

those commissions—in other words, Mr Speaker—should receive and lay the reports just as they also currently receive the progress reports made by the boundary commissions. It is also right that the Government's only role is to implement the recommendations without needing to have any hand in the process by which they are submitted.

In summary, clause 1 makes technical but important changes to the conduct of boundary reviews. It sets the cycle of eight years, establishes the Speaker as the appropriate recipient of the final report and shortens the boundary review timetable in the way that I have explained, to give us and citizens the best chance of knowing that what they have asked for—the general election being conducted on the basis of updated and equal constituencies—will happen. For those reasons, I think the clause should stand part of the Bill.

Mrs Maria Miller (Basingstoke) (Con): There was some discussion right at the beginning about whether the Bill gives the Executive more power, but is the Minister saying that it removes the Executive from the process once the boundary commission has started to undertake its work?

2.15 pm

Chloe Smith: I am grateful to my right hon. Friend, because she allows me to move on to the matters in clause 2. They are very important, and she presages what I am going to say.

Clause 2 changes the way in which the recommendations of the boundary commissions are brought into effect. This is the meat of the debate. The purpose of the change is to bring certainty to the boundary review process and give confidence that recommendations of the independent boundary commissions are brought into effect without interference or delay. The boundary commissions develop their proposals through a robust process involving extensive public consultation over a two to three-year period.

The right hon. Member for Warley made a very thoughtful point about checks and balances, and what he called a new set of priesthoods. Aside from the fact that this is not new—this commission has been in existence for many decades, and rightly so—the point that I want to make is this: the public are the check and balance on that body. By way of example, more than half the recommendations made by the Boundary Commission for England in the previous cycle were changed. This morning, examples were exchanged of where change was desirable or not desirable, and where it was proposed or rejected, but the fact is that that level of responsiveness to the public has been shown to be there in what boundary commissions do, so the need for check and balance is met by what the boundary commissions do in their public consultation. That is very important. My hon. Friend the Member for West Bromwich West eloquently touched on that.

It is important that the boundary commissions' impartial recommendations are brought into effect promptly and with certainty in order to avoid wasting public money and time and to underline the independence of the process. Clause 2 provides for proposed constituencies to be brought into effect automatically. It does that by amending the Parliamentary Constituencies Act 1986, which provides for the recommendations to be brought into effect through an Order in Council made by Her Majesty following approval of the draft order by both Houses of Parliament.

As happens now, the Secretary of State would be required to give effect to the recommendations of the boundary commissions. Let me say a little about the wording that hon. Members will see in the Bill. Professor Sir John Curtice also noted this in evidence. The wording has been updated over time. In the current legislation, a Minister must submit the draft order

"as soon as may be".

The new wording used in the clause is:

"as soon as reasonably practicable".

I do not think that is of great interest to the Committee, but I just want to make the point that that is more up-to-date wording. There is nothing more to be read into that change of words.

Christian Matheson (City of Chester) (Lab): Is there any practical difference between the two forms of worfing, or is it simply using more up-to-date language?

Chloe Smith: The hon. Gentleman—my friend, if I may return his compliments of this morning—has it exactly right. I thank him for aiding the Committee's understanding on that point. I could give examples of where that kind of wording has been updated in other Acts, but I think I do not need to do so if it is as simply put as that.

As happens now, an Order in Council will be used to give effect to the recommendations, but Parliament will not play a role in approving that order, and the Secretary of State will no longer be able to amend the draft Order in Council that implements the boundary commissions' recommendations in the event that it is rejected by Parliament.

We heard in the witnesses sessions that a number of respected academics support this change. Countries such as Australia, Canada and New Zealand use a similar approach. It is the right one to use. We heard from Dr Renwick and Professors Hazell, Curtice and McLean, and there are many more who stand on that side of the argument. One of the most eloquent whom we heard in our sessions was Professor Wyn Jones from the Welsh Governance Centre, who said:

"It is probably better that MPs set the terms of the exercise for the Boundary Commission behind a veil of ignorance, if you like, without knowing exactly what the particular outcomes would be for them as individual MPs."—[*Official Report, Parliamentary Constituencies Public Bill Committee,* 18 June 2020; c. 57, Q117.]

I considered trying to get a joke on the record about Immanuel Kant and the ways that that surname could be used, but I thought it would be better not to test the boundaries of that at this stage of the Committee.

As my right hon. Friend the Member for Basingstoke went on to say, witnesses were clear that the independence of the process should not be violated—a strong word, as she pointed out. Whether Professor Curtice was also right to call Committee members and Members of the House turkeys, I could not possibly comment, but it is self-evident that MPs have an interest in the outcome. That is simply a fact.

I now turn to amendments 2 to 4 and the opposition to the clause that I assume goes with them. I disagree fundamentally with the amendments and I urge hon. Members to withdraw them. I recognise the passion with which hon. Members put their arguments. The hon. Member for City of Chester spoke about parliamentary approval being a "safety valve", but those arguments are wrong-headed. Essentially, they say that a process should be regarded as independent if someone agrees with it, and not if they do not, which is a poor way to approach the question. The changes are important to ensure that the recommendations of the independent boundary commissions are brought into effect promptly, without interference from any political quarter, without waste of public time and money, and without delay.

John Spellar: Essentially, the Minister is avoiding the central political reality, which is that because of the way the boundary commission went about its work, whether according to its instructions or not, the Conservative Government fundamentally lost control of their Members of Parliament. Ironically, in 1969, the then Labour Government had absolute control of their Members of Parliament, which is why they voted down the recommendation. The reason that those proposals never got before Parliament was that they were so fundamentally unsatisfactory that the Conservative Government lost control of their Back-Bench Members and some of their Ministers.

Chloe Smith: I have huge respect for the right hon. Gentleman; it is a credit to the Committee that we have no fewer than two former Secretaries of State on it. I am afraid that in this case, however, he is not correct. That is not the fundamental point. The fundamental point is that we need to put in place updated and equal boundaries. If his party's heritage goes right back to the Chartists, as he hopes it does, he ought to be with that argument rather than against it. That is what we need to address today.

I want to make a few points about the nature of parliamentary sovereignty as it operates here. The hon. Member for Lancaster and Fleetwood said that the Government of the day set the parameters and, without the safety net of a further approval stage, we could allow for bad reviews—I think I have accurately reflected her words there. Sir John Curtice also reminded us that someone could introduce an overturning Bill if they wanted to; that is a facet of parliamentary sovereignty. Parliament can do that if it wishes. Indeed, the hon. Member for Manchester, Gorton (Afzal Khan) tried to do that in the last Parliament, and we spent many hours considering his Bill.

The hon. Members for Lancaster and Fleetwood and for Glasgow East misunderstand, or misrepresent, the nature of Parliament and the Executive in their arguments, so I want to set the record straight. It is Parliament, not the Executive, that sets the parameters through this Bill; that is what we are doing. I may be on my feet right now as a member of the Executive, which I am deeply honoured to be, but it is Parliament in the form of this Committee and later in the whole House, and in the second Chamber, that does that job.

I merely present proposals. It is for Parliament to agree or deny them. It is Parliament that retains that sovereignty at all times, and if Parliament later disagrees with the measure, it can act. There is nothing here to prevent it from doing so, although I would advise against that for the reasons that I have set out. My right hon. Friend the Member for Elmet and Rothwell set that out clearly to the hon. Member for City of Chester, who agreed with him, if I understood the exchange correctly.

It is the constitutional position that the Executive are composed of the largest party in Parliament. That is simply how it is. I appreciate that I am the Minister for the Constitution, so I rather enjoy such arguments, but I hope the Committee will bear with me.

It is the case that Parliament has some crossover with the Executive—of course it does; that is how we are set up. In that resides the confidence of the House and the delivery of the manifesto commitments that have put the Government in their place. That is what we are here to do in the Bill: deliver equal and updated boundaries. That is the right thing to do.

John Spellar: I think that we should explore that constitutional issue, because we also need to look at the procedures of the House. Only the Government can instigate legislation, apart from the rather convoluted private Members' Bills procedures. Indeed, even when such a Bill may be trying to proceed, it can be held up by not putting forward a money resolution. Government, as the Executive—subject, as the hon. Lady rightly says, to the constraint of a vote of no confidence—are able to stifle any of that legislation, should they so wish.

Chloe Smith: And in that will reside the views of the majority of Members of the House of Commons, who know what the right argument here is in this case, which is to deliver equal and updated boundaries. I am only sorry that some of the arguments we have heard this morning seem to express almost a lack of confidence in Parliament's right and ability to set a framework at the outset and then have confidence that it can be delivered by what is a very high-quality public body, judge-led and acknowledged by witnesses to be among the best in the world in how we run our boundary commissions. Perhaps the hon. Member for City of Chester disagrees.

Christian Matheson: I am enjoying the Minister's exposition of the constitution. The proof of the particular pudding she is talking about is in the fact that the last two boundary revisions did not have the support of Parliament. There was no formal mechanism in the way that she describes for hon. Members to express that disapproval and lack of support. It had to be done informally through the usual channels, until the Government realised that if they did push either of those to a vote, they would not have succeeded. There was no formal constitutional mechanism of the type the Minister is trying to outline.

Chloe Smith: I will say two things to that. First, we should be focusing on what we now need to do. Secondly, I am pleased to be here proposing a better way forward that demonstrates that we have listened to the opinions expressed by, among others, the Select Committee on Public Administration and Constitutional Affairs. We should therefore deliver what we have been asked to do by people in this country through the means of the Bill.

I will draw my remarks to a close. I need detain the Committee no longer. I think I have dealt with all the points put to me this morning. I recommend that the Committee reject the amendment and support clauses 1 and 2 standing part of the Bill.

Cat Smith (Lancaster and Fleetwood) (Lab): It is lovely to see you in the Chair on this warm afternoon, Sir David. My amendments to clause 1 ask the Committee whether Parliament should vote on the review of the boundaries. As it happens, Parliament has not had the opportunity to vote on the last two reviews because they were never tabled for debate by the Government. This is a safety valve: us as parliamentarians being able to check the homework of the boundary commissions. This is not marking our own homework; this is us ensuring that the boundary commissions have executed the criteria we have given them accurately and that we are happy to proceed. I have seen it pointed out often on social media recently that the Government have an 80-seat majority. If they are so confident in their 80-seat majority, they have nothing to worry about in bringing the review that we are about to have back to Parliament for a vote.

I draw the Committee's attention to the written evidence submitted by Dr Renwick and Professor Hazell, particularly points 15 and 16. They say that although the boundary commission has only very rarely been questioned to be biased—that would not be the case at all; we all have confidence in its independence—

"there are grounds to worry that this could change"

if the automaticity is implemented. In point 16, they set out some safeguards that could protect against that. I have some concerns that while the independence of the boundary commission is not questioned at the moment, the change could have future consequences that are foreseeable, as set out by Dr Renwick and Professor Hazell, and safeguards could be put in place.

2.30 pm

I draw the Committee's attention to written question 5194, asked by Baroness Hayter in the other place, which I discovered as part of my research for the Bill, on 18 June. She asked about Orders in Council, and the answer was that that

"relates almost exclusively to the affairs of Chartered bodies."

The fact is that the boundary reviews being put as an Order in Council is very different from the way that Orders in Council are usually used in this process. However, as it happens, the Opposition will not push amendments 2 to 4 to a vote this afternoon, so I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 1 ordered to stand part of the Bill.

Clause 2

ORDERS IN COUNCIL GIVING EFFECT TO REPORTS

Question put, That the clause stand part of the Bill.

The Committee divided: Ayes 10, Noes 7.

Division No. 1]

AYES

Afolami, Bim	Hunt, Jane
Bailey, Shaun	Miller, rh Mrs Maria
Clarkson, Chris	Mohindra, Mr Gagan
Farris, Laura	Shelbrooke, rh Alec
Hughes, Eddie	Smith, Chloe

NOES

Efford, Clive	Matheson, Christian
Fletcher, Colleen	Smith, Cat
Linden, David	Spellar, rh John

Question accordingly agreed to.

Clause 2 ordered to stand part of the Bill.

Clause 3

MODIFICATIONS OF RECOMMENDATIONS IN REPORTS

Question proposed, That the clause stand part of the Bill.

Chloe Smith: I shall be as brief as I can. Clause 3 inserts new section 4A into the Parliamentary Constituencies Act 1986. New section 4A sets out the circumstances in which the recommendations made in a final report of a boundary commission may be modified. The purpose of the clause is to provide for a process by which a boundary commission may submit to the Speaker a statement of modification that the commission considers should be made to the recommendations after they have been submitted to the Speaker.

That will be the only process by which a boundary commission's recommendations can be modified. Under new section 4A, the only modifications that could be made are those that the commission would request in order to correct an error. That can occur once the reports have been submitted, and where an Order in Council implementing the recommendations has not yet been submitted to Her Majesty in Council.

New section 4A(6) requires that any subsequent Order must give effect to any such modifications when implementing the recommendations. Currently, the commissions may notify the relevant Minister of modifications to recommendations in the report and the reasons for them, and the Minister will then give effect to them. The clause changes that process so that the commissions may submit a statement of modifications to the Speaker, who lays that statement before Parliament. A copy of the modifications sent to the Speaker is also sent to the Secretary of State. That is so that any commission modifications are reflected in the subsequent Order in Council that implements the recommendations, as we have just been discussing.

New section 4A(5) requires the commissions to publish a statement of modifications as soon as reasonably practicable after it has been laid in Parliament by the Speaker. These are sensible, technical changes, which I hope will not trouble the Committee greatly, to reflect the smaller role of the Government in implementing the recommendations and the increased role of the Speaker, as set out in clauses 1 and 2. I therefore urge that the clause stand part of the Bill.

Question put and agreed to.

Clause 3 accordingly ordered to stand part of the Bill.

Clause 4

PUBLICITY AND CONSULTATION

Question proposed, that the Clause stand part of the Bill.

The Chair: With this it will be convenient to discuss amendment 10, in the schedule, page 7, line 29, at end insert—

'(1A) In paragraph 2(1) omit the words "and no more than five" in each of the subparagraphs.'

These amendments remove the cap on the number of hearings the Boundary Commissions may hold in each of the nations and in each of the English regions, leaving it for the Boundary Commissions to decide the appropriate number of hearings to hold.'.

David Linden (Glasgow East) (SNP): It is a great pleasure to see you in the chair, Sir David—welcome to our deliberations. I certainly do not wish to detain the Committee long, not least because I see that the Minister is chewing a sweetie, and if I sit down quickly, I will put her in a difficult position. Amendment 10, which is supported by the hon. Member for Ceredigion, was tabled with a view to making the lives of the boundary commissioners a little easier by giving them some room for manoeuvre.

As the Committee will recall, during the evidence session on 19 June, Ms Drummond-Murray of the Boundary Commission for Scottish, in response to question 6, spoke of things being "problematic" in the last review because of the restrictions in the number of hearings set out in statute. She made it clear that covering a country the size of Scotland, and doing so with only five hearings, was problematic. The amendment would remove that restriction.

As I was gently discussing this with the hon. Member for West Bromwich West earlier, something that came through from the evidence sessions and over the course of this morning's sitting was a respect for the boundary commissions and a desire to try to make their lives as easy as possible. The amendment would not alter the fundamental principles of the Bill; it seeks merely to give the commissioners the flexibility to undertake the public engagement that is welcomed—and not just by the hon. Member for West Bromwich West, but by us all in our communities. It seeks to give that flexibility to commissioners to undertake public engagement. I hope that the Government will support my amendment, and I look forward to hearing her thoughts on the proposal.

Chloe Smith: I will address both clause 4 and the amendment in one breath. As currently drafted, the rules governing the boundary reviews provide that there should be between two and five public hearings in each of Wales, Scotland, Northern Ireland and the nine English regions. The amendment would make the number of public hearings a matter of judgment for each of the boundary commissions. I am confident that I understand the argument that the hon. Gentleman made, and I am grateful to him for tabling the amendment in the spirit of improving and prioritising public consultation of the existing framework, which is very important.

My reservation about the amendment is that we need to give the boundary commissions clear rules that are in themselves unimpeachable. As we discussed this morning, there is of course great interest in getting the result right so that it can carry trust and command confidence. To that end, a clear and unambiguous framework is helpful; it would allow the boundary commissions to better preserve both their actual and perceived independence.

By mandating a particular number of hearings, we are saying that the commissions are able to deploy their technical expertise in a legally certain environment in which their independence could not be challenged for the wrong reasons—for example, on the grounds of process, or on grounds such as, "You didn't do enough hearings here," "You did too many hearings there," or, "You didn't give us a fair voice here and gave somebody else an overly large voice over there."

I would put the argument at that level: instead of removing it entirely, it is right to maintain that set of guidelines for how many hearings there ought to be, because it allows for there to be a greater degree of public trust around the fairness of the process of the hearings. I hope that argument is enough to engage the interest of the hon. Member for Glasgow East, and to persuade him and the hon. Member for Ceredigion not to press the amendment.

Ben Lake (Ceredigion) (PC): Before the Minister moves on to clause 4, I have a question about amendment 10. Is it fair to say that the Government might be willing to consider extending or increasing the role and number of hearings—setting a higher limit, as opposed to lifting it completely?

Chloe Smith: I understand the point that the hon. Gentleman makes. As the witness from the Boundary Commission for Scotland said, there ought to be more hearings. That is a fair argument—perhaps a fairer argument than the one I was seeking to address just now. I note that it is not the one on the amendment paper, so it is perhaps academic for the purposes of the immediate discussion. However, I understand and note the hon. Gentleman's point. I will discuss the full extent of what we are doing with the public hearings, which might address his point.

We are changing the timing of the public hearings so that they can be better targeted by the boundary commissions. That goes directly to the point that Ms Drummond-May made. With the number of hearings that she had, she had to decide where to hold them in what is, as we all know, a large geographical area that is sparsely populated. Being able to be more flexible about when the hearings take place addresses that point, because after having observed the first round of feedback coming from the first round of consultation, the boundary commissions will be able to say, "Right, we see where that feedback is coming from. We're going to use the change in timing for the hearings, which will now be in the second round, to meet that feedback where it is coming from." In effect, it will save somebody such as Ms Drummond-Murray the difficulty of deciding blindly whether to put their hearings in Hawick or Inverness.

This change addresses that point: without necessarily needing to add another hearing, it allows for them to be better targeted. I will explain a little how the clause does that. It makes a change by putting the public hearings later in the consultation process. As I say, the clause allows public hearings to be better targeted to areas where it is clear that there might be the greatest debate over possible different options. From our discussions with the boundary commissions—indeed, the Boundary Commission of Scotland told us this in Committee—we know that it is only once a review gets going that boundary commission staff are able to judge where the feeling is greatest about particular constituencies and proposals. That is where we would want to target the use of public hearings to have the greatest impact on, and responsiveness to, the public, which is a principle that we all agree on.

The trouble with the current legislation is that the public hearings take place close to the start, during the first 12-week consultation process. Bearing in mind that the hearings are events of some scale and inevitably require large venues, which can be hard to find and need to be booked ahead, this could be a particular concern in areas where there is a sparse population. Again, there

[Chloe Smith]

is a limited number of such venues to choose from. Under the current law, the boundary commissions can therefore find themselves picking locations and having to secure the venues before the review has even begun, to ensure that they can conduct those events. In effect, they are guessing about where the interest is going to come.

The change being made by the clause addresses that issue by allowing the boundary commissions to be better able to consider the responses received, assess where the feeling is greatest, decide where the hearings should be held, and then plan and deliver those hearings for the secondary consultation period. Therefore, to make it possible to implement this change, we are adding time to the secondary consultation period. The clause has the effect of moving four weeks of consultation time from the initial consultation period to the secondary consultation period, to allow that time for public hearings.

2.45 pm

Currently, there are three periods: they are arranged as 12 weeks, four weeks and eight weeks. The clause will change that to make three equal periods, each of eight weeks. The overall amount of consultation time will not change, which is important considering our earlier debate about the primacy of public feedback. The time for consultation is currently 24 weeks, and it will remain so under this provision.

The clause also makes a further specific change with regard to the very next boundary review in 2021. When we discussed clause 1, I said that as a result of the Bill the length of the next boundary review will be reduced slightly, by three months; we discussed that. We are making this change to give the best chance of that review being implemented, as I have explained.

As I have already said, in order to achieve that time scale the boundary commissions will compress some of their own administrative processes, focusing staff resources and doing as we would expect them to do with public time and money. In addition, we also propose that the consultation time included in the next boundary review is slightly shortened, from 24 weeks to 18, which is achieved by the clause. I said earlier that these changes have the cross-party support that we explored before introducing the Bill.

Subsection (12) modifies section 5 of the 1986 Act for the next boundary review, so that the secondary consultation period will be six weeks instead of eight, and the third consultation period will be four weeks instead of eight. These changes enable that slightly earlier deadline to be met.

The clause also makes some operational changes to the consultation process, and it makes that very specific revision to the timing of the next boundary review that I referred to, in order to ensure there is a prompt outcome, while maintaining the importance of the consultation. I hope that it addresses, in a pragmatic way, the concern that a witness directly expressed to us, and in such a way that the hon. Members for Glasgow East and Ceredigion do not feel the need to press their amendment to a vote.

Cat Smith: Speaking to amendment 10, the hon. Member for Glasgow East made a very good point about the way in which the Bill must be able to be applied effectively in every part of the United Kingdom. In some of the regions where the commissioners will be doing their work, the geography and landscape are very different from those of other regions. In that sense, I am minded to support the amendment if chooses to push it to a vote. It would give the commissioners more flexibility to be able to respond to the needs of communities, and if we are to have communities that are confident in the boundaries that the commissioners draw, they must have had an adequate say in how the constituencies are formed.

Christian Matheson: First, I welcome the Minister's explanation of the clause. I have been through a few of these boundary reviews now. I remember attending one in the mid-1990s for Cheshire, which was held in Winsford, in the geographical centre of Cheshire, along with my old mentor Lord Hoyle—as he is now is—and Mike Hall, another former MP, and the late and much-missed Andrew Miller, another former MP.

More recently, the Cheshire review was held in my own constituency in Chester, in The Queen hotel, and in that circumstance I found myself speaking against my own party's recommendations, because the numbers had forced the party to exclude a part of the constituency from Chester that I felt rightfully belonged to it. It was a strange and uncomfortable situation, but I did what I did because it was right.

Having heard the hon. Member for Glasgow East speak to his amendment, I think there is a principle that flows throughout the Bill, which is the importance of taking into account geography, in terms of the overall impact of the Bill and its overall implications. I could easily get from Chester to Winsford and from Chester to Warrington; that would not be a problem. Speaking from my own experience, I think that Cheshire could get away with having one public inquiry.

If I think about parts of rural northern England, the far south-west, or large parts of Scotland and Wales, the sparsity of population makes it less easy to hold public inquiries than in Cheshire or in large boroughs. It is the same principle and the same argument that we will discuss later in the Bill—I do not want to wander too far off the subject of this clause—where we have numbers overriding geographical considerations. There are parts of the country that need to be treated differently because sparsity of population and geographical features make it more difficult for individuals to take part

The hon. Member for Ceredigion asked the Minister a question that had also occurred to me, about whether, in principle, she may consider a slightly different amendment, if she accepts that some areas need more attention because of their geography and sparsity of population. Obviously, the Minister cannot speak to a hypothetical amendment, but I would support that suggestion. The principle that flows through the Bill is that we cannot simply go on bare numbers. Geography, population density and the ease of people getting to, and taking part in, consultations need to be considered. I have a lot of sympathy with the amendment moved by the hon. Member for Glasgow East.

Clive Efford: I am sorry that I did not call you "Sir David" earlier. I was not trying to de-noble you and I apologise.

I support the amendment tabled by the hon. Member for Glasgow East. We are in a curious situation with this clause. On the one hand, the Government are

saying, "Step back, set the parameters and let the boundary commission get on with it," but when we get to this clause they become prescriptive. The clause limits the scope of the boundary commission to consult and to set up consultations with an area in a way that meets the reaction they are getting from a local community. It says that there can only be five consultations in an area. That does not seem to me to be stepping back, allowing the boundary commission to get on with its job, and reacting according to representations from the community.

The Bill sets a rigid timetable, which is acceptable, but subsection (12) says that we will have only six weeks for the second stage and four weeks for the third, because we have a rushed timetable. In the evidence, we were told time and again that this will be a major upheaval because the boundaries are 20 years out of date. Rather than truncating the consultation period in the coming boundary review, we should at least stick to the length of time we are setting for subsequent boundary reviews. Apparently we are not doing that and we can rush at this one, like a bull at a gate.

This is a substantial review that will bring about major changes because of the age of the boundaries we have, which is quite right. I am not arguing about the fact that these changes have to be made and that we have to achieve some sort of equilibrium, which at the same time recognises communities, but it will be a difficult exercise that the Government are making even more difficult because of the timescale they are setting.

Saying that the second stage of the review will have only six weeks and the final stage only four does not seem to be consistent with the idea that we set parameters and let the boundary commission get on with its job. All of a sudden we are starting to put difficulties in its way. I would support the amendment tabled by the hon. Member for Glasgow East if it were put to a vote. It is important that we give flexibility to the boundary commission so that the public have confidence in what the commission is doing and that their views can be heard. Even if the outcome is not the boundaries that the public support, at least they will have had the right to have their voices heard in a way that is convenient and in a location that enables them to participate. Putting restrictions on the boundary commission is a step in the wrong direction. I fundamentally disagree with the bit in subsection (12). On a boundary review that is well overdue and is going to be difficult, the Government have set a tougher timescale. The game is up. This really does expose the political considerations. This is all about the timing and choice of a general election date from 2023 onwards. It has nothing whatever to do with doing an efficient job in reviewing parliamentary boundaries.

The Chair: I point out to the Committee that any vote on amendment 10 will be later in our proceedings. If the hon. Member for Glasgow East wishes to press the amendment to a Division, it will be later in our proceedings.

David Linden: I thank the Minister and the hon. Members for Lancaster and Fleetwood, for City of Chester, for Eltham, and for Ceredigion for their considered remarks. During our discussions I reflected that perhaps this morning, we dealt with one of the more controversial aspects of the Bill with automaticity, but we have now moved to discussing hearings and where they should take place, so I am glad to have brought the temperature down, if not physically.

I detected from the Minister, particularly in response to my hon. Friend the Member for Ceredigion, that the measure is something the Government are willing to consider if there is a way that we could work together to try to table an amendment on Report. The Minister will be aware that the amendment was in no way motivated by party politics. It is about trying to assist the commissions, so I propose to withdraw the amendment on the understanding that the Government discuss with me and my hon. Friend the Member for Ceredigion some form of amendment that could perhaps be tabled on Report to address the issues that I still think are outstanding and that have been put on the record by Ms Drummond-Murray. On that basis, I will not press amendment 10 to a vote.

The Chair: I thank the hon. Gentleman for his advance warning that that is what he will do. It will be helpful as far as the administration of the Bill is concerned.

Question put and agreed to.

Clause 4 accordingly ordered to stand part of the Bill.

Clause 5

Number of parliamentary constituencies

Question proposed, That the clause stand part of the Bill.

Chloe Smith: Is it not a pleasure that we can do our work without the bells being quite so loud as they were earlier? I will keep my remarks on clause 5 extremely short because the clause is very simple. It amends the existing legislation to ensure that we continue to have 650 parliamentary constituencies, as we do now. Currently the 1986 Act, as amended by the Parliamentary Voting System and Constituencies Act 2011, sets the number of constituencies at 600.

The reduction has yet to happen in practice. As the recommendations of the commission's review is based on 600, it had yet to be implemented by the order that would have been laid under previous legislation, which we have discussed mightily already this morning. This is a change of policy from that adopted under the coalition Government. There is nothing to hide. The change takes into account views that have been expressed. Dare I say it demonstrates listening?

I mentioned that the Public Administration and Constitutional Affairs Committee has looked into the matter, and we are grateful for their consideration. On balance, we believe that the move to 600 constituencies, brought into law in 2011 by the coalition Government, is no longer the appropriate move to make because circumstances have changed in two areas. First, in the past decade the UK population has grown by 5% between 2011 and 2019. It is now estimated to be 66.4 million. And—the one hon. Members have all been waiting for—we have left the European Union. Is that not the core argument of the day? It is relevant to the Bill because we have regained significant areas of law making, returned to this Parliament and the other legislatures of the UK. That means that to ensure effective representation for a growing population, it is sensible to maintain 650 constituencies. I note that there was broad consensus

[Chloe Smith]

on that on Second Reading, so I do not think that any of the chucklings that we have heard from sedentary positions are based on strong arguments. The direction of the argument is in favour of maintaining 650.

3 pm

Mrs Miller: I absolutely understand and accept the Minister's argument, although other democratic institutions regularly review the number of their elected representatives. My local authority, Basingstoke and Deane Borough Council, has just implemented new boundaries to reduce the number of councillors from 60 to 54, not only to save the council tax payer money, but to recognise that things change. The Government are right to keep such questions under review.

Chloe Smith: I am grateful for that example. My right hon. Friend is correct, particularly about the principle that ought to underpin what we do here. After all, we are looking at public money, in terms of what we might call the cost of politics—the number of salaries multiplied by 600 or 650—and how we ask the boundary commissions to do their work. Those things are underpinned by public money and public time, so we should consider them in Committee . There is nothing more extensive to say about clause 5, so I commend it to the Committee.

Cat Smith: The Opposition welcome clause 5. We have argued to keep the number of MPs at 650. I also welcome the Minister's explanation of why the Government have U-turned and returned to the idea of having 650 Members of Parliament.

The Minister made the argument that the UK population has grown by 5% since 2011. I ask her, and she is welcome to intervene, whether that is an indication that we should expect the 650 figure to increase in subsequent reviews if the UK population were to increase in that time.

I also ask why the number is fixed. We heard in our evidence sessions that one of the difficulties that commissioners have in drawing seats is that they must finally reach the 650 figure. Is there not a strong case for having a target number of MPs that the commissioners should reach within a percentage range? Overall, the Opposition welcome the clause and the decision to maintain 650 MPs.

John Spellar: Briefly, several of the factors that the Minister outlined were blindingly obviously after 2015 as well. The population in this country was going up and there had been a referendum to leave the European Union. Was it not, frankly, the shallowness of David Cameron and the stubbornness of the right hon. Member for Maidenhead (Mrs May) that meant that the Government have had to make the change now that they could have made before? We would then have been here representing different constituencies. There is no shame in saying that the former leadership of the party—it is probably unwise to attack the current leadership—got it wrong and that is why they have done a U-turn.

David Linden: Can I say what a pleasure it is to see clause 5 in the Bill? I spent about 30 sittings of my life in the last Parliament on the Parliamentary Constituencies (Amendment) Bill Committee, brought forward by the wonderful hon. Member for Manchester, Gorton (Afzal Khan). On that Committee were me, the Minister, the hon. Member for Coventry North East, the hon. Member for Lancaster and Fleetwood and the hon. Member for City of Chester, with whom I have grown incredibly close over this issue and through the armed forces parliamentary scheme. It is a genuine delight to be on the Committee.

I used to trot along the corridor every Wednesday morning to come and argue that there should be 650 seats. At the time, the Minister, only six months ago, was resolutely opposed to that. So it is with a degree of glee that I hear her talk about that 5% population growth. I know that, on the Committee, I, the hon. Member for Lancaster and Fleetwood and the Minister have had children, but I can safely say that we have not contributed 5% population growth in the last six months. Therefore, the U-turn is quite remarkable.

There is also an argument based on Britain leaving the European Union. I accept that. It will be a travesty and bad for Scotland, which is probably why people in Scotland voted against it, but if we follow to its logical conclusion the argument about losing 73 MEPs who used to go to Brussels and debate and legislate on our behalf, and all those laws coming back to the UK Parliament—by and large they are coming back to it as a result of a power grab by the UK Government who are not devolving the powers on to institutions such as the Welsh Assembly and Scottish Parliament—presumably we should increase the number of seats, commensurately with MPs' increased workload. Like the hon. Member for Lancaster and Fleetwood I am perplexed that the number remains at 650.

I want to pick up on the Minister's point about cutting the cost of politics. One of the things that I tried to bring up in those enlightening Wednesday morning Committee sittings—with more ease some weeks than others—was that the Government's argument that they are cutting the cost of politics is problematic because of the other place.

Alec Shelbrooke: Hear, hear!

David Linden: I am grateful that that revolutionary from Yorkshire, the right hon. Member for Elmet and Rothwell, agrees that we should abolish their lordships. The Government need to be consistent if they make the argument about cutting costs. Even this week we hear that the Prime Minister's chief aide Eddie Lister is off to join the House of Lords, with £305 a day tax-free for the rest of his life, without ever being subject to a vote.

The House of Lords is an utterly undemocratic institution. There are only two places in the world where hereditary chieftains retain the right to make law. One is the United Kingdom and other is Lesotho. There are only three parts of the world where clerics retain the right to legislate. We have 26 bishops, the Lords Spiritual, who legislate by virtue of their religion. The other countries, of course, are Iran and the Isle of Man. If the Minister, therefore, wants, as she has said today, to talk about cutting the cost of politics, may I gently suggest that in the previous Parliament the Bill was starting at the wrong end, with the election of MPs? Perhaps if we want to cut the cost of politics we should end the circus down the other side of the building.

Laura Farris (Newbury) (Con): The hon. Gentleman picks up where I was cut off by the time limit in my Second Reading speech, and I could not agree with him more. When I was preparing my Second Reading speech I looked at the *Hansard* report of the debate from the late 1990s on reform of the House of Lords under Tony Blair. I was struck to see such familiar names as Ted Heath. Giants of the British political scene made arguments that we make in exactly the same form today. I looked into the cost of the House of Lords, and it is not the same as the cost of House of Commons, but it is not far off. There is no right of removal, and we avert our eyes from what is inappropriately still a hereditary principle, when we all know that is not a good enough reason for anyone to hold status in public life any more. I hope that a bold, reforming one nation Government will have, at some point in the next five to 10 years, an eye on that, because it is the elephant in the Palace.

David Linden: I have watched the hon. Lady in the last couple of weeks in the Chamber and she has been incredibly thoughtful. I suspect that the Government Whip is probably wincing slightly but the House is all the richer for people who are willing to stand up and say, "If we are going to talk about the future of the UK constitution we need to address the fact that in 2020 we still have people who have been there many years and have never been subject to a vote." She is right to say that.

Alec Shelbrooke: As the hon. Gentleman has picked up, there is quite a lot of agreement about the other place. However, I do not think it is particularly fair on the Minister to be talking about it when we are trying to deal with a constitutional Bill on the House of Commons, and on how we vote. I say to him gently that I understand the arguments that he makes, and there is merit in them. He has some cross-party agreement. Voting on the other place has always tended to be a free vote, and it has always fallen at the last hurdle. I would be more than happy to have discussions with the hon. Gentleman if he could find positive ways to move forward on the subject. I am just not sure today is the right moment.

The Chair: Order. I have been biding by time about when to intervene. We have now had two interventions that were long speeches. Can we stick to the Bill? The Bill has nothing to do with reform of the House of Lords.

David Linden: Thank you very much, Sir David. I do not want to challenge the establishment too much when you are in the Chair, so I will avoid being taken down the path that these unruly Conservatives would have me go down—of course, I was so much in order. Perhaps my remarks in the last few minutes have been slightly cheekie-chappie, but I want to say that I am delighted to see the clause in the Bill. It would be remiss of us not to put on the record our thanks to the hon. Member for Manchester, Gorton, who tried to keep this issue alive in the previous Parliament and, as a result, we find ourselves with a Bill that is by no means perfect, but the clause is one of the better things in it. With that, and I am sure to everyone's relief, I bring my remarks to a close.

Clive Efford: The Bill gets more and more curious. The Minister argued consistently on previous clauses for a position that would have prevented us from getting to the clause, had we been in that position of automaticity and the previous boundary reviews had gone through. If it were not for Parliament's ability to have a second look at what had been set in train, we would not have the clause to have 650 MPs.

It is curious for the Minister to stand up and say that is the right decision and what we should do when she has also argued for something that would have prevented us from getting to this position. That is the argument in favour of Parliament giving the final approval on whatever the boundary commission proposes. It is clear that going down to 600 MPs was a schism imposed on us by two ambitious young politicians who got together in a rose garden and completely fell in love. It was the wrong decision, and when Parliament got the chance to take a second look, it came to a conclusion that both sides of the House support. With the situation we are in, which we have been in for a long time—MPs represent greater numbers of constituents than ever before, and in some of our inner-city areas that involves many people who cannot go on the electoral register—it has been obvious that we should not cut the number of MPs. We are where we are, but that highlights how the Government are arguing for a position that would have resulted in us making a huge error, had it been in place at the time of the last boundary review.

Christian Matheson: I will speak only briefly. In fact, I only sought to catch your eye, Sir David, after my right hon. Friend the Member for Warley gave advice to the Minister, based on his years of experience, that she was entitled to criticise previous leaders who may no longer be with us. I thought I would therefore take the opportunity to do what I promised earlier and compliment the Minister on changing her position. I said how she would prove to be flexible, and this is what I was talking about. As my hon. Friend the Member for Lancaster and Fleetwood said, the reversion to 650 is the right decision, and I very much welcome it. However, as my hon. Friend the Member for Eltham just said, is it not great that we are in a position to do that, because automaticity was not in the Bill? I will leave it at that.

Question put and agreed to.

Clause 5 accordingly ordered to stand part of the Bill.

Clause 6

TAKING ACCOUNT OF LOCAL GOVERNMENT BOUNDARIES

David Linden: I beg to move amendment 8, in clause 6, page 4, line 35, before "for" insert "(a)"

This is linked to amendment 9.

The Chair: With this it will be convenient to discuss the following:

Amendment 9, in clause 6, page 4, line 37, at end insert—

', and

(b) after paragraph (c), insert—

"(ca) boundaries of polling districts, where useable data is available;"'.

Polling District mapping is available in standard GIS formats in many areas. This allows the data to be used by the Boundary Commissions if they think fit.

New clause 9—*Completeness of the Electoral Register*—

'(1) The 1986 Act is amended as follows.

(2) In rule 5(1) of Schedule 2 to the 1986 Act, at end insert—

"(f) data from the Department for Work and Pensions about non-registered voters eligible to vote.'.

3.15 pm

David Linden: I shall speak to amendment 9. During Second Reading, I was struck by the thoughtful approach of the right hon. Member for Elmet and Rothwell, who made a plea—often repeated during the evidence sessions—for commissioners to move away from using wards as the building blocks for drawing up constituencies, and instead to break it down and use more manageable and flexible building blocks. That point was also pressed many times by the right hon. Member for Basingstoke.

In evidence from Ms Drummond-Murray during the evidence session of June 18—referring specifically to Question 8 of that session—the Committee will have noted that Scotland can break it down by postcode, if necessary, rather than using the more clunky ward building blocks. Furthermore, evidence given by Mr Scott Martin, solicitor at the SNP, drew the attention of Members to spatialhub.scot and the technology that is in play north of the border, in response to Question 102 at the Bill's evidence session of June 18.

Polling districts are usually natural communities on their own, and are good building blocks for constituencies when wards cannot be used. Drawing constituencies using polling districts also makes the constituencies much easier to implement for the electoral administrators. They just need to reallocate the constituency that applies to each polling district, rather than allocating each individual elector. It also means that voters will not need to be allocated to different polling places when boundaries are redrawn. The parties referred to by Sir David should also be borne in mind here. Political parties that select their candidates on the basis of their members' vote are the first users of constituency boundary data. Reallocating polling districts rather than drawing new boundaries makes it easier for political parties to ballot their members, which they may wish to do before the new boundaries are effective on the electoral registers. I remind the Committee that amendment 9 seeks to add to the tool box for the boundary commission. Rule 5(1) lists factors that a boundary commission "may take into account" to such an extent as it sees "fit". Amendment 9 also recognises that a polling district's data may not always be usable, clearly ensuring that it stays as set out and that the data is only used by the relevant boundary commission satisfied that a particular area and data are properly usable. Amendment 9 merely supplements clause 6 and allows boundary commissioners to draw upon technology as set out in the Bill's explanatory notes.

I am keen to hear the Government's thoughts on the amendment, and if they plan to object I would like to hear the reason; I will make a judgement on that before I decide whether to press the matter to a vote. I have outlined the rationale behind the amendment, and I look forward to the Minister's feedback.

Mrs Miller: I wanted to make a couple of short comments on amendments 8 and 9, and commend the hon. Member for Glasgow East—he confesses to being a "cheeky chappie"—for tabling them. The amendments may be probing amendments, as I do not necessarily think they would apply in his neck of the woods, but they would certainly apply in England and Wales. I can see why he has tabled them, following our discussions, because they would put on the face of the Bill a requirement that polling district mapping be available for use. It became clear in our evidence that that was not the case; that is why evidence sessions are so useful. I am sure that hon. Members will, like me, be paying quite particular attention to their constituency information, and indeed their polling district information, not least because we are often asked to comment on where polling stations are, and our in-depth knowledge of our constituencies is an important part of our job. We know where the polling stations are and where the polling district boundaries are.

I was quite blown away by some of the responses to the questions I put to Mr Bellringer from the English boundary commission. Returning to amendment 9 before I go into exactly what he said, I understand why the hon. Member for Glasgow East tabled it. If we are going to really do what the Bill requires, which is to create equal-sized constituencies, going to a sub-ward level, whether that is, as he suggested, through polling districts, or—as in my line of questioning to the boundary commission—through postcodes, as in the part of the United Kingdom from which the hon. Member for Glasgow East comes, we need to be able to manipulate the data and the constituency information we have on a very refined level. It seemed odd that that has not been explored in the detail that hon. Members might have expected.

Sir Iain McLean, when he gave evidence, talked about the tension between getting equal-sized constituencies and the issues around local ties, which we discussed in earlier strings of amendments. The importance of equal size is clearly pre-eminent in the Bill and the amendment we are talking about now is important to deliver that important strategic focus of the legislation.

I was perplexed first by the inconsistent approach to the use of sub-ward level data in England, Scotland and Wales, and the fact that postcode data is used in Scotland and Wales but not in England. When I pressed that with Mr Bellringer, he very clearly said on the record that that information was very difficult for the boundary commission to come by; it would take a long time to access the data in the detail required. I was then perplexed by my further lines of questioning to Mr Bellringer, which made me think that, frankly, sub-ward level data had been put into the box marked "too difficult" and it was not necessarily going to be revisited. I would like to send a clear message from the Committee: that that must be revisited.

Although I am not sure I would necessarily support the amendment tabled by the hon. Member for Glasgow East at this point, not least because we are still waiting for a note from the boundary commission on how it might handle this, I hope it is listening to the debate to hear the strength of feeling on the matter. For postcodes, Mr Bellringer said,

"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."—[*Official Report, Parliamentary Constituencies Public Bill Committee*, 18 June 2020; c. 12, Q14.]

We can wait until that data is ready, if it takes six months or 12 months. The boundary commission needs to start setting the bar a little higher than it has to date on the sort of information it has to hand. Sir Iain McLean

suggested that the boundary commission should invest in geographical information systems. I do not profess to be an expert in that and I do not know whether that is what is needed. However, if it is, it should be forthcoming because it is important that we deliver the heart of the Bill, which is about equal constituencies. At the moment, I am unclear about how the boundary commission in England is going to do that. I hope the paper it sends us will edify me on that point.

Alec Shelbrooke: It is, indeed, unfortunate that we have made such quick progress that we have come to this clause before we have had the note from the Boundary Commission for England. The discussion we are having links into every single part of the Bill. This is an important moment. I am grateful to the hon. Member for Glasgow East for bringing this amendment—even as a probing amendment, if that is what it is—because it allows us to open up some very important arguments.

We had conversations this morning about whether we should hold the final vote on the Floor of the House. Opposition Members have made some powerful arguments about what would result if the boundary commission got it wrong. We should endeavour—especially with this clause today—to use the knowledge and expertise on the Committee and the evidence that we have taken to steer the boundary commission to get this right first time around. Some of the examples that were given in the past, which were then overturned when communities—not politicians—were able to make the points as to why particular suggestions were wrong, show that these things are not difficult to do, if time and attention is given to them.

I do not like to tie the hands of a body that we have asked to do a job. Being as prescriptive as the amendment would probably go too far, but it sends an important message. One of the problems with past boundary reviews has been that in order to get the numbers right, they have kept wards whole and created some very odd-looking constituencies that do not have anything in common with the areas they represent and their history.

I return to this point about communities all the time. One piece of evidence said that politicians very cleverly argue the "communities" point to get what they want in their seat, but it is an important point; it is not a political argument, and it is not about us. We represent areas: they are our communities. When the original proposal for 600 seats came out—I think it was in 2012—it was proposed that my constituency would run from my solid rural areas right into the centre of Leeds, in the Leeds East constituency. The previous MP there was George Mudie, a man who a lot of people know—certainly in Leeds and in this House—and for whom I have immense respect. He had been in public office for over four decades, I think; he was a leader of Leeds City Council, and a very distinguished one. I do not say that lightly.

He said, "This is appalling. I am an inner-city Member of Parliament. I represent the inner city; my whole professional career has been spent representing these communities." He was wholly opposed to the Conservative areas of my seat coming into his constituency. Believe me, he would have won; more interestingly, he was more vociferously opposed to the proposals than I was. What it came down to, George Mudie was saying, was that these communities were not like communities, and the proposals broke the bond he had. I cannot remember exactly how long he served for, but I think he had been in some form of public office in those areas of that seat for over 40 years. As I said, he was a very well-respected man, who is missed in this House and in his communities.

When the boundary commission is constructing these seats, it needs to be very careful that it has regard to rule 5 of the 1968 Act, and the five sub-parts of that. That rule is very important when it comes to geography and trying to keep constituencies roughly as they are. I know that is not possible 20 years down the line—there have to be big changes—but one way in which the commission can try to achieve these objectives is to go below ward level. I do not believe we need to prescribe that—to say, "You must start with polling districts"—but in response to the questions that we asked in the evidence sessions, the evidence that we received was legitimately, "I think you need to go below ward level to get this right." That is not the same as "You must start below ward level"—that is probably not the best approach, anyway. We would want to start with the easiest building blocks we have, and a lot of constituencies will already have those building blocks and communities within them. However, if we go below ward level, when we need to do things with the numbers, there are ways to do so.

There is a very strange little piece of my constituency, in a ward called Kippax and Methley. It is a stand-alone ward of Leeds City Council, where there are a couple of villages called Methley and Mickletown. The odd thing is that until 2010, a person would have to leave the constituency to get to those villages. They still would have to leave the ward to get to them, because the River Aire runs right through that ward and cuts it off, so they would have to go through the Normanton, Pontefract and Castleford constituency or through a different ward. Before I had Rothwell in the constituency, they would either have to go through the Morley and Rothwell constituency or through Normanton, Pontefract and Castleford. The communities are very similar: they were mining communities and the River Aire runs through them, so it is never a straightforward argument. There are some tweaks and twists around it, but the point I am making is that polling districts can be used to solve some of these slight problems.

I appreciate the amendment that the hon. Member for Glasgow East has tabled. It is an important probing amendment to get on the record why we in this Committee think it appropriate for the boundary commission to use polling districts to split wards. One of the reasons why I was persuaded that we should not prescribe polling districts as the starting point was the strength of the evidence about how those polling districts were themselves put together. I doubt it would happen, but it could create a gerrymandering situation later if those were the building blocks. That came out in the evidence. I am not saying that is what would happen, but it gives the potential for that to happen. It is therefore not right to bind the hands and to give temptation in that area, but it is important that the boundary commissions listen to the evidence. We shall explore this further when we come to the plus and minus 5% amendments later. This will be an important facet of that argument.

3.30 pm

As I say, I do not want to support the amendment, because it ties the hands too much. However, it goes to the absolute heart of our debate in trying to help,

inform and guide the boundary commission. Hopefully there will not have to be a huge number of changes when the first draft comes out, because the boundary commission will have learned the lessons of where it has had to make huge changes to previous boundaries, and it will have seen that this Parliament and this Committee are trying to present constructive ideas and ways forward, so that the commission can avoid making such changes.

I will not support the amendment. I hope the hon. Member for Glasgow East will withdraw it and see it as a probing amendment, but it has made possible a very important discussion in this Committee.

Christian Matheson: I will briefly make two observations and pose a question that the Minister might be able to answer. On the amendment tabled my the hon. Member for Glasgow East, I think we heard in evidence that the Scottish building blocks reflect the reorganisation of local government in Scotland. As such, they are slightly different from those in England and Wales—perhaps in terms of size, although the right hon. Member for Elmet and Rothwell has talked about wards of 17,000 people in Leeds, which are extremely large. I hope that we do not take our own experiences of wards in our areas—although I might do just that in a moment—and impose them on other parts of the United Kingdom where they are not appropriate.

Alec Shelbrooke: Just to quickly address the hon. Gentleman's point—it is something that I did not say—he is quite right to say that there are 17,000, 18,000 or 19,000 people in a ward in Leeds. We have similar issues in Kirklees, and I think Birmingham has been mentioned. I am thinking about specific areas where there are huge wards, created from a bunch of wards—in order to reach the right number—that contain totally disparate communities. That is the area we need to look at. In the metropolitan constituencies and councils, that is really important. That might help the hon. Gentleman.

Christian Matheson: I am grateful for that clarity. I am less keen on formally using polling districts as building blocks—we will come to this issue when we debate a different amendment—on the basis that they lack the formality of a consulted-on review by an independent body.

I have a question for the Committee that might be within the expertise of an hon. Member or the Minister. In my constituency, I already have split wards. I share one ward with my hon. Friend the Member for Ellesmere Port and Neston (Justin Madders) and another with the hon. Member for Eddisbury (Edward Timpson). Split wards already exist, and it is not clear why there needs to be consideration of introducing them into the legislation now, if they are already possible.

Chris Clarkson (Heywood and Middleton) (Con): Just to answer the hon. Gentleman's question, I believe it is more to do with the fact that his constituency is currently aligned with a set of boundaries that predate the Cheshire West and Chester authority. Should the boundary commission conduct the review, it will probably try to use the current boundaries for Cheshire West and Chester. I am sure he would agree that that would possibly lead to quite an unwieldly seat that does not contain the entire city and might go into rural areas that do not necessarily accord with the more urban parts of his constituency.

Christian Matheson: I am most grateful for that. That might well be the case, although the boundary review area was Cheshire as a whole. I suspect the boundary commission would not want to go over the boundary review area, but that might well be a possibility.

Alec Shelbrooke: The hon. Gentleman is being most generous in giving way. There is a split polling district between me and the hon. Member for Leeds East (Richard Burgon). I have about 26 houses from one of his large polling districts in my constituency; there is also the M1 motorway between my constituency and his. It makes no sense at all and creates some issues. It is noticeable that, in constituencies where there has been a local boundary change afterwards and there is a split across constituencies, the public are not really affected by that. That point was made in relation to what happens when we split wards and look at polling districts. The public are interested in who their MP, councillor and local authority are. I do not think they particularly mind if a different part of the constituency uses a different local authority.

Christian Matheson: With the greatest of respect to the right hon. Gentleman, he is now talking about split polling districts—he is doing my head in. My head is fried. I might just jump out the window.

On the contribution of the hon. Member for Heywood and Middleton, it might be, as the right hon. Member for Elmet and Rothwell said, that previous local government boundaries were superimposed on pre-existing parliamentary boundaries. That is entirely possible. If there is some clarification, that is fine. If split wards are permissible, that may go some way towards achieving our aims. I am grateful for that contribution.

Chris Clarkson: It is a pleasure to serve under your chairmanship, Sir David. I largely agree with my right hon. Friends the Members for Basingstoke and for Elmet and Rothwell, and thank the hon. Member for Glasgow East for his amendment. I will treat it as a probing amendment, and I shall not support it as it stands because we are still awaiting a letter from the boundary commission. My concern is that if we start prescribing units, it becomes dogma. We have seen that three of the boundary commissions are perfectly happy to start looking at innovative ways of splitting wards and treating postcode areas and community council areas as building blocks.

As Mr Bellringer suggested—I am not saying that this is the attitude across the piece, but it appears to be—the boundary commissions will go for the path of least resistance, which at the moment is wards. If we give them something smaller to work with, they will just work to that particular unit. We will get concomitances of polling districts snatched from area A and area B, and it becomes a more microscopic version of what we currently have. I am also concerned about using polling districts. As my right hon. Friend the Member for Elmet and Rothwell said, there is the danger of reintroducing a political element into something when we are trying to take it out by introducing the process of automaticity.

I shall not support the amendment. I greatly appreciate the option of being able to split wards. I am glad that we have had this debate. The Committee has heard from

Government-supporting Members that it is something that we are happy to look at, but I consider that being prescriptive is not the most helpful way to approach it.

Clive Efford: The hon. Member for Glasgow East has provoked an interesting debate about how we go about this process. I did not understand some of Mr Bellringer's arguments. We all know our constituencies extremely well, and we know the level of detail that electoral registration officers produce, road by road and building by building. On a fixed date, when we enter into the parliamentary boundary review, the number of people registered for a particular street is known. I do not understand why the boundary commission, in communication with the local registration officer, could not, where it needed to, investigate that level of detail, so I did not understand those answers.

As the Bill progresses, perhaps some thought can be given to expanding the areas of information that the boundary commission uses to draw up the parliamentary boundaries. We had an interesting discussion in the evidence sessions about the use of polling districts and what their legal basis was. Peter Stanyon from the local government boundary commission explained that it was often dictated by the location of a suitable venue for a polling station, the accessibility for people with disabilities, and the convenience, to enable communities to vote. Those are important factors, and they seem to be things that lead to a community being provided with a suitable location, which is desirable. Those might be suitable building blocks.

However, Mr Stanyon also said that, post a parliamentary boundary review, local government has to have a review if there are changes within its area to a parliamentary boundary. That use of technology could therefore allow the boundary commission to go down to sub-street level in the knowledge that, at some later date, the polling district will be changed to meet the new boundary that the commission has drawn up.

The commission does not need to be restricted to the distinct polling district area. It can now move forward in the knowledge that, if it can avoid creating a parliamentary boundary that goes across the jurisdiction of a local authority area, which brings in all sorts of difficulties, it has the flexibility to create an additional polling district or to add an additional community from within that local government area, in order to avoid all the problems that come with that cross-border situation. The local government boundary commission has made it quite clear that it would move the boundaries to suit that new parliamentary boundary if it were created.

I think that the hon. Member for Glasgow East is on to something, and that should be explored as the Bill progresses. We are creating a rigid set of criteria where some flexibility could avoid lots of difficulties that will be created by having small sections of communities in different local authority areas represented by an MP who primarily supports and represents a different community. We should explore that further.

Chloe Smith: May I, Sir David, on a question of order, ask whether you would like me to speak to amendments 8 and 9, new clause 9, and clause 6 stand part at this stage?

The Chair: No, please just speak to the amendment.

Chloe Smith: And new clause 9, as you said at the outset. I will be very happy to do so. Thank you, Sir David, for that clarification, which was very helpful. I thank the hon. Members who tabled the amendments, and who have made very considered comments on them. I agree with colleagues that we have come to one of the interesting seams of detail that run through what we have to do in the Bill.

The amendments make specific and additional provision for the boundary commissions to take into account the boundaries of polling districts within their consideration of new constituencies where useable data is available. It might help the Committee if I make it clear in what way the amendment is additional to the provisions in the Bill. This is what Professor Iain McLean ended up looking for in his papers during our evidence session.

As colleagues will know, the 1986 Act is where this framework of rules is found, and within that framework of what are called "rules" are what are called the "factors" that are to be taken into account. That is where some of the debate is taking place; there will be others during the course of the Committee. The provision is additional because it would add to those factors, whereas the Bill does not. The Bill proposes to leave those factors as they are.

Mrs Miller: My hon. Friend started to talk about the factors within the 1986 Act. I hope she might have noticed that I tabled an amendment to ask the Government whether they should be rethinking their approach to those factors, particularly their approach to Ynys Môn being a standalone constituency, to join the other four standalone constituencies, which include two very near neighbouring constituencies in my neck of the woods—the two Isle of Wight seats.

Chloe Smith: I thank my right hon. Friend for presaging something that it is very important that we shall come on to. I do not wish to dance on the head of a pin, as it were. She is absolutely right that those points are made in the rules, and the factors are a subset of the rules that govern a microscopic element of the conduct.

3.45 pm

Within that set of parameters, we alight on the debate as between polling districts and wards, which this amendment addresses. If I may, if the hon. Member for Glasgow East says "cheeky chappie", I will say agent provocateur, because he well knows that this does not apply to the boundary commission that serves his constituents and the nation he particularly argues for in everything else that he does. But I welcome the debate that provides. It is right that we think about that.

The evidence we heard from witnesses showed that some boundary commissions already do this and others do not. We have heard good arguments that the Boundary Commission for England, which was the one in particular focus, could use polling district data more freely and often, as well as how that relates to the argument about ward sizes. We heard the Boundary Commission for Scotland talk about how it takes a different approach, not wanting to see a one-size-fits-all approach to polling district data. The Boundary Commission for Wales then takes a different approach, using community ward data rather than polling district data.

From those discussions, we learned that boundary commissions already used polling district data where they wished to. The commissions then have valuable discretion to use different data where that suits their context. The 1986 law—through its 2011 changes, and as it is in the Bill—allows for that flexibility and variety, and it does not preclude the use of polling district data where it is relevant.

The Government and I come down on the side of those who have argued today that it is not necessary to specify that in the law, because it can already be done, and it is being done as a matter of practice in parts of the United Kingdom. On that basis, I ask the hon. Member for Glasgow East not to press his amendment.

At this stage, I will add that I think that all the boundary commissions ought to listen carefully to the arguments that have been put, very capably, across all parts of the Committee on how that microscopic conduct of the reviews can be done to the benefit of communities. Is that not the point that runs through this? We should try to make a common-sense review that will best serve communities. That is an outcome we all look for.

There is an opportunity for the boundary commissions to think about this. There is also an opportunity, as highlighted by those evidence sessions, for the boundary commissions to learn from each other. Indeed, we saw different practices among the different commissions. I think they already hold discussions among themselves and I encourage them to continue doing so.

On what the Cabinet Office can add to that, I am open to looking at arguments for how it might be possible to facilitate such better use of data. For that, like other members of the Committee, we require that note from the Boundary Commission for England, as was promised, and then to look at the entire situation in the round. That is to say, I do not think this is necessarily something suitable to specify in a Bill, but it can be achieved through working practice.

I will come now to new clause 9 and then pause on the question that the clause stand part of the Bill, in order to come back to those—

The Chair: Order. I want to say to the Committee that our proceedings are confusing at the best of times, and this is not the best of times. Normally, we would have civil servants to my right with the Parliamentary Private Secretary close by. Notes would be helpfully passed to the Minister. We would normally have a couple of Clerks to my left, helping the Opposition with the order of our proceedings.

These are difficult circumstances and it is more than understandable that there is a bit of confusion. I ask the Minister not to respond at this point, so we can allow Cat Smith to speak to new clause 9, and then the Minister may wish to come back with her comments.

Cat Smith: To speak to new clause 9—

Mrs Miller: On a point of order, Sir David. I apologise for interrupting the shadow Minister. Can you clarify whether you are taking clause 6 stand part as part of this group? I am a little confused. I thought that we were discussing amendments 8 and 9. Are we doing the stand part debate as well?

The Chair: The stand part debate is separate. I am also in some difficulty, because this is all being organised remotely and the person who has organised it is not physically present. The right hon. Lady is quite right that it will be taken later in our proceedings.

I will say to the Clerks that, for future sittings, they may want to think about that a bit more carefully, inasmuch as Committee members are right to be confused about the order of our proceedings. As this is more or less a new Parliament; there are some hon. Members who have never served in Committee before. I will send that message so we can be more helpful in future sittings.

David Linden: Further to that point of order, Sir David. I wonder whether it might helpful for the Committee to suspend proceedings for a minute or two, until we understand exactly what is happening. I confess that in the last minute or so I have become more confused.

Ben Lake: Further to that point of order, Sir David. I echo the point made by the hon. Member for Glasgow East.

The Chair: I am not minded to pause the proceedings, because I do know what I am doing. I am trying to help everyone. If the Chair had lost control, we could do that, but we would have to have a long discussion. I ask the Committee to accept that, when we meet again on Tuesday, I will ensure that there is greater clarity to help Her Majesty's Opposition and the different parties as they wish to scrutinise the Bill, and the Government as well.

Alec Shelbrooke: Further to that point of order, Sir David. I am completely lost. Can you clarify whether we are debating amendments 6 and 7 now?

The Chair: I can clarify that very easily. I am not being rude, but, if hon. Members listen carefully, at the start of the proceedings I said, "We now come to amendment 8 to clause 6, with which it will be convenient to discuss amendment 9 and new clause 9," and I then called Mr Linden. What I said at the start was correct; it is just finessing the process. Hon. Members rightly get confused about when they can move amendments and when they can withdraw them.

I say again to the Committee that next Tuesday, we will ensure that things run more smoothly. I have just been advised that it is worth stating the simple principle that the selection list is available in the room and shows the order of debate. As a Member of Parliament, I understand that, although that is available, it is a bit like finding out that we were physically looking at the wrong Bill in our evidence session. We are all human beings and we can all make mistakes.

Chloe Smith: On a point of order, Sir David. I think I might be able to assist the Committee on how we have come to this point of discussion. When I heard you say what you have just repeated, I made a note to myself that circled the group containing amendments 8 and 9 and new clause 9, which appears in a different group on the selection list that you have just referred to. I for one have been working in an L shape, which might have

caused confusion among colleagues, because there are four different groupings of which we suddenly seem to be doing two at once.

The Chair: I am now much better in the picture than I was before. To answer Mr Shelbrooke's question, once we have dealt with the group that I announced at the start of the proceedings, we will go on to Mr Linden and deal with amendment 6 to clause 6, with which it will be convenient to discuss amendment 7.

Cat Smith: I must admit that I am still quite confused, if I am honest, but hopefully all will become apparent.

I am speaking to new clause 9, which is about the electoral registers that are used to compile the boundaries that we draw. In the written evidence submitted by Professor Toby James, a professor of politics and public policy at the University of East Anglia, it was eminently clear that in the latest estimates from the Electoral Commission there were between 8.3 million and 9.4 million people in Great Britain who were eligible to be on the registers but were not correctly registered on the December 2018 register. Since the introduction of individual electoral registration, we have seen registration become increasingly seasonal, and in his written evidence the professor outlined some of the reasons that that might be. His suggestions to the Committee are slightly outside the scope of the Bill, but I draw the Committee's attention to his paragraph 12, which suggests ways to improve the accuracy and completeness of the electoral register.

New clause 9 would include Department for Work and Pensions data to correct the electoral registers and make sure that the data that the commissioners draw on to draw our constituency boundaries are fuller and more complete than the data they currently work with.

Ben Lake: The hon. Lady makes an important point, particularly when we consider that many constituencies will be drawn on the basis of the electoral register on a particular date. I know from my own constituency that at least 6,000 students are not registered, even though, when it comes to constituency casework, I answer their queries and try to serve them, so this is an important consideration. We should try to get as full a picture as possible because, after all, that gets to the heart of representation.

Cat Smith: I thank the hon. Gentleman for making that intervention. The points that he has made during our proceedings today about the nature of his Ceredigion constituency, where the population can fluctuate, highlight the point that the data that we use have to come from a snapshot in time. However, that snapshot is often inaccurate for various reasons, including people moving house. They can delay registering or perhaps they do not register if there is no election imminent.

The hon. Gentleman mentioned students who may or may not register in one or two locations, which means that often the register is inaccurate. When we as constituency MPs hold our advice surgeries, we often support members of our community who do not fill in paperwork, which is how they can find themselves before us. One of the things that they might not fill in, because it does not feature in their lives is the form to register to vote. And yet, as Members of Parliament, we will stand up for them in a tribunal situation or we make representations to various Government bodies because we count them as our constituents and we represent them.

New clause 9 would make the data that the boundaries are drawn on fuller and more accurate than the data that they are currently drawn on. As Professor James outlines in his written evidence, different countries use different data to draw their electoral constituencies, including population data, population estimates and electoral registers that have been made more accurate by using local government data.

The Chair: It has been admitted that I was given the wrong script. Like a barrister, of course, I insisted that that was a point. However, I have powers to change the order, and that is why I have allowed Cat Smith, who was right to be confused, to make a point. The Minister has also agreed to respond to new clause 9.

4 pm

Chloe Smith: I am happy to do so, Sir David. I thank the hon. Lady for raising this interesting issue, which touches on some of the broader themes that were raised in the witness session, which we may not necessarily come to in the rest of our consideration.

As the hon. Lady explained, this proposal would insert a new clause into rule 5(1) of schedule 2 to the 1986 Act—the factors set I mentioned earlier—to add an additional factor that the commissions may take into consideration. As I understand it, she thinks there ought to be

"data from the Department for Work and Pensions about non-registered voters"

who are eligible to vote, should they choose to register.

We have already discussed, and no doubt will again, the fact that boundary reviews are conducted on the basis of the electorate. That is a major principle. The electorate are defined at paragraph 9(2) of schedule 2 to the 1986 Act as being

"the total number of persons whose names appear on the relevant version of a register of parliamentary electors."

The register of electors is used, and has always been used, because it is the most up-to-date, verified and accurate source of information we have on those who are eligible to vote. Hon. Members who enjoyed the witness sessions will recall that we had some discussion about what it means to talk in terms of completeness and accuracy. These are the signal terms we use when we talk about the electoral register.

This proposal goes beyond that because it talks about those who are not registered. I understand the desire to catch and reflect those who are eligible to vote but who, for whatever reason, have not registered to do so. However, I have to tell the Committee that there are some significant practical considerations that argue against this proposal, because it does not take them into account.

Alec Shelbrooke: I am listening carefully to the debate. Is one of the important points that we represent everybody, as the hon. Member for Lancaster and Fleetwood said? We are using a set of data taken from a set point in time and collected in a set way, but we do not just represent the people on the electoral register. We represent everybody who is in our community, including everybody under the age of 18, who are not on the electoral register.

[Alec Shelbrooke]

Whether there are more people or not, we are not disenfranchising them from the service they may receive from a Member of Parliament. That is an important distinction.

Chloe Smith: Yes, I think that is right; I agree with my right hon. Friend's characterisation. Certainly, I aspire to that in my work, and I know that will be true across the Committee. The fact of the matter is that when constructing a review, and the framework that sits around it, we need to make a definition somewhere. If we believe in equal constituencies, we have to believe in an ability to find a number to define equality, and that has always been taken to be those who are registered as voters.

Ben Lake: I appreciate the point that the Minister makes about the practicalities of us getting things right and where we draw the line, but given that we know that in certain areas—I know about some wards in my constituency—only 35% of the eligible electorate are actually registered, that is the figure that would be taken into consideration when favouring boundaries. I echo the point made by the right hon. Member for Elmet and Rothwell—we have to represent everybody. Those individuals who have not registered to vote will perhaps come to us for help and assistance. That is a point we need to explore further.

Chloe Smith: May I put on the record how much I appreciated the illustration the hon. Gentleman made to the Committee earlier about those who have second homes in his constituency? He gave a powerful illustration of the problem at hand for those who have their second homes in his constituency, perhaps in a slightly different direction in income terms from the thinking in this proposal.

Let me come to what is being asked in this proposed measure. My principal, practical point, which I make to the hon. Member for Lancaster and Fleetwood, is that the DWP does not actually have such a dataset. It does not have a dataset that specifically identifies eligible electors who are not registered to vote. In keeping with its purpose and powers, the Department holds data on those who pay tax or are in receipt of a benefit. That will certainly include individuals who are eligible to vote but not registered, and perhaps even the majority of such people—who knows?

My point is that we do not know that. However, those people would not be identifiable as such, because that is not the purpose of the DWP data. To create such a dataset, the Department would need to match its records with the electoral register, eliminate registered electors and generate a fresh, accurate list of those from its first dataset who are not registered but who are eligible to be. That would require a new data-matching process and a new power to share data for that purpose and place a new duty on the DWP. I think that the Committee will understand that I am not in a position today to accept such a new clause and argue that the DWP should proceed in that way. That is not within the scope of the Bill.

Alec Shelbrooke: I assume that I am right, although I stand to be corrected, in saying that not all voters who are registered can vote in a general election. There are voters who can vote in a local but not a general election. That is another factor that would have to be taken into account.

Chloe Smith: Here we go on the discussion of the franchise, which is a very large discussion, and I think, Sir David, you would rightly suggest we stay off it and remain within the matter in hand; but my right hon. Friend makes the point well that there are a number of different franchises in operation in this country, and there are a number of arguments for other groups to be added to the franchise. There are common arguments that those under 18, or European Union electors, should be added, but they are not in the scope of the Bill before the Committee, and in my opinion that is right. We have the correct data set, identified under the 1986 Act, as amended, and upheld in the Bill .

I hope that hon. Members will agree that the requirement that the new clause would put on the Department for Work and Pensions would not be technically correct or proportionate to its aim. I might add—although it is perhaps unwise as it might reopen the debate that we had about how the boundary commissions use data—that there is a further step that needs to be thought through, about how any such data could be used by the commissions. To use an example that I know hon. Members will appreciate, DWP records are not broken down by electoral ward—the very thing that we just spent some time discussing as the primary building block for parliamentary constituencies. A quite complex matching process would be required. That would take some time and of course doing it would have a price tag attached.

That is not the principal subject that the Committee is considering. I welcome the interest of the hon. Member for Lancaster and Fleetwood in how to include all people in our democratic process—the process represented in the Bill. She is coming from an admirable, principled place in tabling the new clause, and I have great sympathy with it, because I, like her, want as many people as possible to be registered to vote and take part, and to be counted within the purview of the Bill. However, I do not think that the new clause is a correct or proportionate way to achieve the goal.

David Linden: I think that some time has elapsed, and the conversation has moved on somewhat, since I spoke to amendments 8 and 9. I referred to myself as a cheeky chappie, and the Minister referred to me as an agent provocateur, and of course the right hon. Member for Basingstoke is right: I do not have any skin in the game in this debate, because the situation is different north of the border. However, I was genuinely interested in what came up in the course of the evidence sittings. The point brought out a degree of interest in the Committee, and I tabled amendments 8 and 9 on that basis. I think most Members will have guessed by now that they are probing amendments. I am relatively satisfied that they fulfilled the objective of stimulating debate and thought in the Government, and on that basis I thank the Committee for the discussion, and I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

David Linden: I beg to move amendment 6, in clause 6, page 4, line 36, leave out

'which exist, or are prospective, on the review date'.

This amendment removes the restriction on the local government boundaries the Boundary Commissions may take into account, rather than fixing them at a technical level as at the start of the review.

The Chair: With this it will be convenient to discuss amendment 7, in clause 6, page 4, line 38, leave out subsections (3) and (4).

This is linked to amendment 6 and removes the detailed definition of a "prospective" local government boundary.

David Linden: I rise to speak to amendments 6 and 7, tabled in my name and that of my hon. Friend the Member for Ceredigion. I do not wish to detain the Committee for long, so I will be brief in explaining the rationale behind these probing amendments. One of the clearest themes throughout our evidence hearings, particularly with boundary commissioners, was a request to leave them with as much latitude and flexibility as possible and not to tie their hands. The amendments seek to remove the restriction on local government boundaries that the boundary commission may take into account, rather than fixing them at a technical level as at the start of the review.

The use of modern technologies should give the boundary commissions the ability to adapt to local authority reviews during the course of their reviews in a way not envisaged when the original legislation was put in place in 1944. There are also likely to be local authority ward reviews all but completed at the start of the review but for which orders had not been laid to give effect to them. I am all for giving the boundary commissions the flexibility they need to get on with the job, and I hope that the Government are with me on that. The Bill helps in allowing prospective boundaries to be taken into account, but they are all fixed at the start of the review, and I am for further flexibility.

As I indicated, this is a probing amendment, so I would be interested to hear the Minister's thoughts on the merit of the suggestion and whether the Government feel that such flexibility for the boundary commission would be of use. I am happy to resume my seat and hear what the Minister has to say.

Ben Lake: I do not wish to detain the Committee for long. My hon. Friend the Member for Glasgow East explained the rationale behind the amendments and how we want to probe for a bit of debate. This gives me an opportunity to make history, potentially, because I will urge caution about accepting the amendment that I support, in the light of written evidence from Councillor Dick Cole of Cornwall Council, submitted to the Committee after the oral evidence sessions concluded. I would be interested to hear the Minister's thoughts on his letter, and particularly on the rights of Cornwall as a historic nation. Sir David, you were kind to allow me to tread on unfamiliar territory during the evidence sessions in asking about feelings about a cross-Tamar constituency. Having studied the matter further, I understand that people in Cornwall feel strongly about it, and rightly so.

The Committee's attention should be drawn in particular to a decision made by the UK Government in 2014, where they recognised the Cornish people through the framework convention for the protection of national minorities. One part of the convention seeks to protect the political integrity of territories associated with groups such as the Cornish people. When the Minister sums up, could she say whether anything can be done as part of the Bill to address such concerns? I note there are a few calls for a boundary commission for Cornwall to be set up. I would be interested in hearing what is possible, because Councillor Cole has raised valid concerns that we should at least look at.

Chloe Smith: I am sorry to add to possible confusion, but before the hon. Member sits down, is he referring to amendments 6 and 7 or to amendment 1?

Ben Lake: That is a good question. I am talking about amendments 6 and 7 in terms of the ability not to hold too tightly to local government boundaries. Of course, at the moment Cornwall Council is a local government boundary, and the amendments could allow for the Boundary Commission for England to introduce a cross-Tamar constituency, if it deemed that necessary.

Alec Shelbrooke: I am once again most grateful to the hon. Member for Glasgow East for taking the time to table these probing amendments, because this is an important part of the Bill and we should discuss whether we can assist the boundary commission when it goes about its work in England. As we know, when the quotas come out, they are based on regions, with certain regions having to lose seats and other regions having to gain seats. It seems odd that regions are broken down into specific local government authority boundaries.

I was born in 1976 and I still get grief on my doorsteps in Wetherby about the 1974 redistribution of councils, and the fact that people are now in West Yorkshire and not North Yorkshire. People tend not to ever forgive local government boundary changes even when they are long ago.

4.15 pm

Another interesting thing is that my constituency is purely in West Yorkshire; the outer boundary of my constituency is the boundary with North Yorkshire. My constituency is called Elmet and Rothwell, and the Elmet part of the name refers to the Celtic kingdom of Elmet, which roughly covered West Yorkshire. Some interesting DNA work was done about five or six years ago, which showed that the DNA of the Celtic kingdom of Elmet has not really moved beyond West Yorkshire; that was quite interesting.

However, because Elmet was a kingdom, it did not just follow boundaries as they are set down now. In Elmet, there is the village of Sherburn, which is in the seat of the Minister for Asia, my hon. Friend the Member for Selby and Ainsty (Nigel Adams). Such things make people write to me, as the MP for Elmet and Rothwell, because they live in the village of Sherburn in Elmet, so it makes perfect sense to write to the MP for Elmet and Rothwell, but of course Sherburn is separate.

This brings me back to the point that constituents—members of the public—really do not care where the line of their constituency is drawn. They can get wound up about the fact that they are in a certain county, or not in a certain county, but overall as things get spread across we are into a different area.

In Yorkshire, we understand our areas better than they do anywhere else. We try not to come back to our area all the time; we do not want to be seen as being self-interested, and things such as that. It is just that we

understand "area" better. Based on the current figures that we are using until 1 December—although that is about to change, we only have those figures to work on—North Yorkshire and West Yorkshire are half a seat too big on each side, so there has to be a crossover point. Again, this is a situation where, if we do not want to do some very odd things, the boundary commission needs to forget where the local government boundaries are and look again at the community side. That is a really important point; indeed, it goes to the heart of the Bill, as I have said before.

The amendment is a probing amendment. We should not start the process with the hands of the boundary commissioners tied and saying, "Right, let's dig into this local authorities", because there is a wider picture to consider, across many areas. I have read the evidence about Cornwall and I do not really want to get into that argument; I do not think we have any Cornish Members on the Committee. However, the important point is that the boundary commission will have heard those arguments about Cornwall; the commissioners know them at this stage.

I am sure there are many anomalies in the part of the world of the hon. Member for Lancaster and Fleetwood, the north-west. I do not know her part of the world very well at all. I have been up there—

Cat Smith: I thank the honourable Yorkshireman for giving way. *[Laughter.]* On that point, the case has been made by Cornish people that they do not wish to see a seat cross the Cornish-Devon border; I think that view is clear and unanimous in Cornwall. I support Cornish people in that. As a Lancashire lass, I would be very disappointed to see a constituency drawn up that crossed into the white rose county from my red rose county.

Alec Shelbrooke: I am most grateful to the hon. Lady for that intervention. I have often said that if God had wanted Yorkshire and Lancashire to meet, he would not have put a huge lump of granite between us.

However, there is an important point here, namely that the arbitrary nature of local authority boundaries is a strange thing. In 1974, Leeds was the only authority that got bigger; all the other authorities got smaller but the Leeds metropolitan authority swept way out of what had been the Leeds City Council area and took in areas such as Pudsey, West Riding Council and all those areas.

My constituents generally do not consider themselves to be part of Leeds. However, I am a Leeds city MP, in a county constituency and a borough constituency, which gives some idea of how that is defined in the geography of election expenses. Equally, I remember a particular opponent in one of the elections who was trying to establish their credibility to stand in the area. They went to certain parts of my constituency waving the flag about what a strong Leeds Rhinos fan they were, in rugby league. I am not a rugby league fan, and am clear that I am not, but I do know that in the areas that said opponent was talking about being a Leeds Rhinos fan, the people were all Castleford Tigers fans, so I was quite pleased with that bit of electioneering.

John Spellar: Will the right hon. Gentleman tell us which football team he does support?

The Chair: Order. We are wandering all over the show. Please may we get back to the Bill?

Alec Shelbrooke: That is well on the record in my constituency.

Mrs Miller: Hon. Members are making important points about their parts of the country, which is underlining the fact that it is different in different areas. For example, the original boundaries of my own constituency of Basingstoke went very near the Berkshire border—not a million miles away from the constituency of my hon. Friend the Member for Newbury—and parts of that part of Hampshire used to be in Berkshire and have Berkshire postcodes. People who live in that part of Hampshire think they live in Berkshire, but they do not; they live in Hampshire. There might be a little less rivalry between Hampshire and Berkshire than between Lancashire and Yorkshire, which is why sensitivity on the ground is so important.

Alec Shelbrooke: I am not a historian, but there was no war between Berkshire and Hampshire—no wars of the roses.

Christian Matheson: I am listening to the points being made by the right hon. Gentleman and the right hon. Member for Basingstoke, but I am not quite clear where the consensus lies. There is an administrative issue that I would ask him to consider when making his argument. He might not want parliamentary boundaries to reflect local government boundaries—no, to be fair, he does not want that to be a primary concern—but there has to be administration of elections, and the fewer local authorities that a constituency is spread across the better.

Once those elections have taken place, there is also less of a workload for a Member of Parliament when he or she represents one local authority, or in some cases two. It becomes difficult to represent more than two local authorities, and the level of service given to constituents is less. Will the right hon. Gentleman take that into account?

Alec Shelbrooke: I am grateful to the hon. Gentleman for making those points, because I have done some research into that. My constituency is covered only by Leeds City Council, and only five wards of it, because we have such big wards—I have 15 councillors in my constituency. In fact, in most of the Leeds constituencies, there are only four wards, which might give him some idea of where we are. In the Morley and Outwood constituency, the Outwood wards are under the Wakefield authority. The Selby and Ainsty constituency, which is in North Yorkshire, has North Yorkshire County Council, Selby District Council and parts of Harrogate Borough Council and Craven District Council. Many seats are spread over more than one local authority.

I have spoken to my hon. Friend the Member for Selby and Ainsty (Nigel Adams)—he is my neighbour—and asked him about the specifics, such as whether it creates problems. He says that, overall, he is able to deal with those areas. There is a distinction between spreading across authorities in rural areas and in joint metropolitan areas, or things like that. Perhaps that is what the hon. Member for City of Chester refers to.

Christian Matheson: The right hon. Gentleman is being generous in giving way. I am concerned about constituencies spread across more than two council

areas. Two is manageable, but I do not believe that three would be, which is why I disagree with his view that we should ignore local authority boundaries.

Alec Shelbrooke: As I said, my hon. Friend the Member for Selby and Ainsty has four local authorities in his constituency, but I seriously take on board what the hon. Gentleman says about more than two authorities. That still comes back to the point that I am making—a constituency does not have to stay within one local authority. We can keep like communities together and make that work—people want the communities that they understand—especially when a region has a situation: North Yorkshire is half a seat short and West Yorkshire is half a seat short, so there will have to be that crossover. It should not just be an arbitrary line drawn on a map; it is about having regard to like communities.

The only point that I am trying to bring out through this probing amendment—I hope the Boundary Commission for England will look at a way to do it—is that, although some of these things seem obvious, actually in communities they are not so obvious. That is why I used the example of the people of Sherburn in Elmet, who are in North Yorkshire and are covered by Selby District Council and North Yorkshire County Council. They are in a different constituency from me in West Yorkshire and the Leeds City Council area, but they think I am their MP because my constituency has the word "Elmet" in it.

There are local considerations that cannot be defined by the local boundaries. I hope that this probing amendment is able to bring out the need for guidance and advice, which we can give to the Boundary Commission and say, "These things are not as vital." I am sure that it will have heard the hon. Member for City of Chester, who said that two authorities do not seem to be a problem, but it is stretching it when we start to move beyond that.

Chris Clarkson: I will start by disappointing the hon. Member for Lancaster and Fleetwood, because there are actually a number of seats that cross the Lancashire county boundary into Yorkshire, including Ribble Valley, and Oldham East and Saddleworth. If she wants to hear how strongly people can feel about it, she should ask my hon. Friend the Member for Pendle (Andrew Stephenson) what happened when he put a red rose on Earby library.

I completely understand the depth of feeling about crossing the Tamar. Actually, Cornwall is about the right size for six seats, so that is unlikely to happen. There are actually four seats in the north-west that cross the Mersey.

We need to look at the fact that local government boundaries, as they are currently constituted after Redcliffe-Maud, are actually fairly arbitrary. Bits were hived off from one area to another based on things such as local transport links and who went to work in what area. I think that a little more attention needs to be paid to natural community boundaries when we have to look at crossing county boundaries, which will inevitably have to happen in some areas.

The hon. Member for City of Chester makes a very important point about trying to limit it to as few local government areas as possible. To the best of my knowledge, in the north-west there is only one seat that contains areas from three councils: Penrith and the Border, which is geographically massive.

Alec Shelbrooke: I am most grateful to my hon. Friend for giving way. There is something that I forgot to say, and it might add strength to his argument. There is a planning application that got kicked out by the Secretary of State that would have led to hundreds of houses being built right on the border of Wetherby, but in the Harrogate Borough Council area and North Yorkshire. Not a single person moving into one of those houses would have thought that they lived in Harrogate; they would have thought that they lived in Wetherby. That is one of the reasons why it got kicked out. Again, it is an arbitrary boundary. If someone knocks on the door of the people who live there, who are literally a 10-minute walk from Wetherby town centre, they will not say that they live in Harrogate.

Chris Clarkson: My right hon. Friend makes an extremely important point. Every Monday morning, my office sends a load of casework to the hon. Member for Rochdale (Tony Lloyd), because 30% of my seat is Rochdale and people do not automatically think that I am their MP. The reality is that if we are too prescriptive about local government boundaries, we will go back to having these odd Frankenstein seats where we are trying to conform with electoral boundaries. I do not think that being too prescriptive is the right approach.

Christian Matheson: I agree with the hon. Gentleman about not being too prescriptive, but he cannot have it both ways. As he said previously, he also supports the 5% absolute tolerance on the numbers. I am pleased to hear him talking about not being too prescriptive, so will he bear that in mind as we proceed through our consideration of the Bill?

Chris Clarkson: I can tell the hon. Gentleman that it is foremost in my mind, which is why I was very glad to have the debate that was sparked by the hon. Member for Glasgow East. We need to be less prescriptive about the units that we use to build things, but there is a common-sense approach that does not involve taking ridiculous leaps by keeping whole units together, just because they have arbitrarily been drawn one way by the Local Government Boundary Commission.

Chloe Smith: We have now tapped into one of the very rich seams of community interest and detail in and around the Bill. I will make some general comments about what clause 6 does in order to accommodate explanation of what the amendment might do. I hope that will help the Committee.

I will begin by referring back to the fact that, in coming up with their proposals, the boundary commissions have a set of factors to which they are allowed to refer. I will read out the wording, which states that commissions "may take into account, if and to such extent as they think fit". It is very clear in the legislation that that is a "may" power—it may be used and is there if it is needed—rather than being a "must". The relevant factors include geographical features such as rivers or mountains, community ties, existing parliamentary constituencies and local government boundaries. The Bill does not change that.

4.30 pm

I hope that it is a firm response for me to acknowledge what hon. Members have said about the importance of getting local government ties right for the communities

that often care deeply about them. My point is that the factors in the current legislation allow the boundary commissions to do that already. I will not be drawn into commenting on whether a cross-Tamar seat is right or wrong, although it would be fair to note that I suspect such a combination might not arise, given the shift from a basis of 600 constituencies to 650. We will wait and see.

The point I need to make is on what the clause does and what the amendment would do to it. To be able to do any of their work using any of the factors, the boundary commissions need to have a fixed picture of data. As we have already said, they need to get that from electorate numbers. It is also helpful to them to have a fixed picture of the other factors—in this case, local government boundaries. It makes no sense to be pursuing a permanently moving picture.

For the purposes of the clause, we are talking about only the date on which local government boundaries are understood, as opposed to whether local government boundaries should be understood. It is all about the data. I am sorry to be the dry and dusty one, but I have to go through the following content in order to address the amendment. The point is that under the current legislation, the snapshot in time of local government boundaries is the most recent ordinary council election day before the start of the review. If the date for a boundary review is 1 December of any one year, the boundary commissions in England and Wales will look at the local government boundaries as they existed on the first Thursday in May of that year. I happen to give an example from England and Wales; the hon. Member for Glasgow East need not read anything sinister into that.

The clause allows the boundary commissions to take account of both existing local government boundaries and those that are prospective at the review date. That is what the clause does. The review date is the formal starting point of the boundary review; in general, it would be 1 December, which is two years and 10 months before the commissions are due to submit their final reports. I think we will come to that issue when we debate another clause.

I need to explain what is meant by "prospective". A prospective local government boundary will be one that has been proposed by the local government boundary commission and set out in legislation, but where that legislation has not yet come into force for all purposes—something that usually occurs on a subsequent ordinary day of election. In the case of a local government boundary that is prospective on the review date, it is that boundary, rather than any existing boundary that it replaces, that may be taken into account by a boundary commission.

The practical effect of the clause is to let the boundary commissions consider a more up-to-date picture of local government boundaries and to let them factor that into proposals where appropriate and relevant. That may well—I certainly hope it will—provide for communities to feel more confident about the alignment of the boundaries that are used, and for the process to make more common sense all round, not least on the administrative side. Councils, councillors and MPs would benefit from that, as would the public, in the sense of reducing public confusion.

The crossing of local government and UK parliamentary boundaries cannot be entirely eliminated. It is not possible to have a hermetically clean scenario, because they are on different review cycles. That is the way we set things up in our constitution. The reviews in the Bill that we are talking about will happen only every eight years. The local government boundaries are decided on a rolling basis—that is certainly the case for the Local Government Boundary Commission for England.

The practical measure in clause 6 lets the boundary commissions start with a more up-to-date picture of local government boundaries, and to work on that basis. I mentioned earlier some of the preparatory work that had been done with administrators and parliamentary parties to test the measures in this Bill, and this is one where they were very supportive of being able to get that greater level of alignment.

I will now turn to what amendments 6 and 7 would actually do. I am sorry to say that I do not think they would quite do what the hon. Members who tabled them intended—I hope to be corrected. I believe they remove the wording that relates to whether the boundaries exist at all, or are prospective, which I do not think is what the hon. Members for Glasgow East and for Ceredigion were hoping for. It is important that we can have that effect on prospective boundaries; I hope I have dealt with that argument already. Taken together, however, that provides a cut-off date, so it gives us a snapshot, and having that snapshot—a fixed moment in time—is in itself important. Although we have made efforts to make it as aligned as possible, we still need it to be fixed.

This is where I think amendments 6 and 7 do not do what the hon. Members intend, because they take away the logical necessity to have a fixed moment. They would effectively create perpetual motion of local government boundaries by removing the idea that those boundaries have to exist at a certain point in time. There are several arguments for why that would be undesirable, two of which jump out: the first is the very nature of working to permanently moving goalposts. That would be very difficult for the boundary commissions to do—nigh on impossible, I suggest.

That is a practical argument, but there is also a slightly more philosophical one, to which I have referred. I do not think it would be right or fair to set the boundary commissions up to fail by making them open to legal challenge, or to charges of inconsistency in the processes they follow. I fear that these amendments might produce that result, because they would create inconsistency in what any commission might choose to do at any local government boundary. There would naturally be great variation across the piece. Overall, that would be an undesirable picture: at the very least, it would lead to wasted resources and delay because the commissions would have to keep redoing work; and at worst, it would create a sense of public confusion. As I have laid out, clause 6 aims to lessen public confusion, rather than increase it.

With that, Sir David, I hope I have adequately explained what clause 6 sets out to do. Forgive me if I have come on to "stand part" territory, but I hope I have been helpful, and that I have offered some thoughtful reasons as to why amendments 6 and 7 do not achieve precisely what the hon. Members hoped for. None the less, I acknowledge what Committee members have said this

afternoon about the importance of community identity and the way in which it often relates to local government boundaries. Historic counties are one example, and of course I cannot rest without putting Norfolk on the record; admittedly, we have not yet fought a war over boundaries with Suffolk, but we are just waiting for a smoking gun. These things are important to our communities and the citizens for whom we are doing all this. I therefore invite the hon. Member for Glasgow East to withdraw amendments 6 and 7.

David Linden: My intention with amendments 6 and 7 was certainly not to declare war between Norfolk and Suffolk. As I outlined in my remarks, they are probing amendments; my intention was to stimulate discussion, and I am content that that has happened. At one stage, I was almost getting ready to ask my hon. Friend the Member for Ceredigion to move over and let the right hon. Member for Elmet and Rothwell come over and join the Celtic alliance.

More seriously, I think these amendments have informed the Committee's debates, which was their objective. I am grateful for having had the opportunity to discuss them, and on that basis, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Eddie Hughes (Walsall North) (Con): On a point of order, Sir David. I think we have had a very productive day so far, and our intention was to conclude proceedings at 4.45 pm.

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

4.41 pm

Adjourned till Tuesday 30 June at twenty-five minutes past Nine o'clock.

Written evidence reported to the House

PCB05 Professor Toby James, Professor of Politics and Public Policy, University of East Anglia

PCB06 Councillor Dick Cole