

CHESHIRE EAST COUNCIL

Constitution Committee

Date of Meeting: 22nd September 2011
Report of: Democratic and Registration Services Manager
Subject/Title: Boundary Commission for England: a Review of Parliamentary Constituency Boundaries

1.0 Report Summary

- 1.1 The Boundary Commission for England (BCE) has the task of periodically reviewing all Parliamentary constituencies in England. A review (“the review”) is currently being undertaken and is being conducted in accordance with new rules laid down by Parliament.
- 1.2 This report outlines the basis upon which the review will be conducted and makes recommendations about the Council’s involvement.

2.0 Recommendations

- 2.1 That
 - (1) a sub-committee of 6 Members (4 Con: 1 Lab: 1 Ind) be appointed with full delegated powers to undertake the review;
 - (2) Council at its meeting on 13th October 2011 be asked to consider whether it should determine the final response to the review or delegate to the Constitution Committee the power to do so; and
 - (3) the Council’s formal response to the review be provided in writing.

3.0 Wards Affected

- 3.1 All wards are affected.

4.0 Local Ward Members

- 4.1 All local ward Members are affected.

5.0 Policy Implications

- 5.1 The Council has no policy on the boundaries of Parliamentary Constituencies. However, the Council’s response to the review will define its policy and may influence the shape of Parliamentary Constituencies for the 2015 Parliamentary elections and beyond.

6.0 Financial Implications

- 6.1 There are no identifiable financial implications.

7.0 Legal Implications

- 7.1 The key legal implications of the review are contained in the body of this report. However, the Parliamentary Voting Systems and Constituencies Act 2011 imposes new requirements upon the way in which the review will operate. New rules apply, which are outlined in this report.
- 7.2 The legislative basis of Parliamentary Constituency Boundary reviews is found in the Parliamentary Constituencies Act 1986, as amended by the Boundary Commissions Act 1992.

8.0 Risk Management

- 8.1 No risks would appear to arise from the recommendations of this report.

9.0 Background

- 9.1 The rules which form the basis of the review presume a significant reduction in the number of Parliamentary Constituencies in England. These Constituencies will be required to comply with new parameters so far as the numbers of electors they contain.
- 9.2 The review will be heavily informed by public consultation.
- 9.3 The BCE must formally report to Government by 1st October 2013 and make recommendations on changes which it believes to be appropriate: in respect of the distribution, size, shape, name or designation of constituencies. These recommendations will then be converted into draft legislation, which will be implemented in time for the next Parliamentary Election after the date on which the legislation is passed.
- 9.4 The legislation provides that the electorate figures to be used for the 2013 review are the figures published on or before 1st December 2010.
- 9.5 With regard to the local government boundaries which are to be taken into account as part of the review, the legislation defines these as those which were in force as at 6th May 2010. This immediately creates an issue for Cheshire East Council, since the review will be based on the former Borough Ward boundaries, rather than those which were the product of the most recent boundary review. The BCE have been pressed to confirm this. It would appear to be an unusual approach for the future Parliamentary Constituency

boundaries to be based on previous Ward boundary information. The BCE indicate that this problem stems from legislation.

- 9.6 Legislation requires there to be 600 constituencies for the whole of the UK, of which there will be 68 in the North West: Blackburn, Blackpool, Bolton, Bury, Cheshire East, Cheshire West, Cumbria, Halton, Knowlsey, Lancashire, Liverpool, Manchester, Oldham, Rochdale, St Helens, Salford, Sefton, Stockport, Tameside, Trafford, Warrington, Wirral and Wigan.
- 9.7 The BCE, in developing its proposals, will allocate the specified number of constituencies within the relevant region, ensuring that each constituency is wholly contained within it. There would need to be compelling reasons to depart from this assumption.
- 9.8 Legislation stipulates that every constituency must have an electorate range of between 72,810-80,473 electors.
- 9.9 The BCE may take into account other considerations:
- Geographical: size, shape and accessibility of constituencies
 - Local government boundaries as at 6.05.10 (see above)
 - Boundaries of existing constituencies
 - Local ties that would be broken by constituency changes
- 9.10 With regard to **local authority wards**, these are seen as the basic building block for designing constituencies. They are regarded as well-defined and well-understood units which are generally indicative of areas which have a broad community of interest. Any divisions of these units between constituencies is seen as being likely to break local ties, disrupt political party organisations and cause difficulties for Electoral Registration and Returning Officers. Therefore, in the absence of compelling and exceptional circumstances, the BCE's view is that it would not be appropriate to divide wards where it is possible to construct constituencies that meet the statutory electorate range without dividing them.
- 9.11 With regard to **existing constituencies** the BCE intends to have regard generally to these as far as possible. It feels it would be inappropriate to start from a "blank sheet of paper", although this does not mean that a constituency should be protected from change, simply because its electorate figure falls within the statutory range.
- 9.12 Where constituencies remain largely the same, the BCE policy is to retain the existing constituency name. There would, in these circumstances, need to be good reason to make changes.
- 9.13 In general, the policy is for constituencies to be named in a way which reflects the main population centres. However, where an alternative name commands greater local support than that proposed by the BCE, it will usually be prepared to recommend that as an alternative.

10.0 Initial proposals and consultation

- 10.1 The BCE intends to publish its initial proposals on 13th September 2011. This will be followed by a 12 week consultation period, ending on 5th December 2011.
- 10.2 The consultation will be based on a combination of written representations, and oral representations at public hearings. The BCE's policy is to afford the same weight to written representations as it does to oral representations.
- 10.3 In the light of this, it is proposed that the Council's views are made known to the BCE in writing.
- 10.4 Following the consultation, Assistant Commissioners will consider all representations made and prepare a report for the BCE on each region.
- 10.5 The BCE will then publish a notice in each region indicating whether or not revisions have been made to its initial proposals for that region. Any revisions to the initial proposals will be subject to further consultation.
- 10.6 Following consideration of any representations made at such further consultation, the BCE will make final decisions upon any further modifications before making a report to Government. This will then be followed by legislation.

11.0 The Council's response

- 11.1 The Council's response to the review would normally be agreed by Full Council. However, the tight timescale within which the Council's response must be submitted would not make this possible unless a special meeting of Council was to be convened.
- 11.2 This report therefore proposes that Council delegate full powers to the Constitution Committee to agree the Council's final response. It also recommends that a sub committee be appointed to drive forward the process. A small number of Members can most appropriately undertake this detailed work.
- 11.3 The sub committee could then meet as often as needed to progress the detailed work, reporting as and when necessary to the Constitution Committee, which may need to arrange special meetings.

12.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

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