REDUCE AND EQUALISE

Prepared by The Constitution Society for the APPG on the Constitution

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www.re-constitution.org.uk
1 Defined terms

Electoral equality: The situation in which every constituency contains the same number of registered voters.

Electoral quota: The number of voters per constituency required to achieve Electoral Equality. Found by dividing the total electorate by the total number of constituencies.

Electoral bias: An asymmetry in the translation of party vote shares into party seat shares.

http://www.re-constitution.org.uk
# 2 Proposals at a glance

<table>
<thead>
<tr>
<th>Current situation</th>
<th>Proposed changes</th>
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</thead>
<tbody>
<tr>
<td><strong>650 MPs</strong>, no fixed limit.</td>
<td>Fixed number: <strong>600 MPs</strong>.</td>
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<tr>
<td><strong>Wales</strong> has a minimum of 35 seats, <strong>Northern Ireland</strong> has 16 – 18 seats. <strong>Scotland</strong> has 59.</td>
<td>Territory seat allowance proportional to size of electorate(^1).</td>
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<tr>
<td>Average constituency size: c. <strong>68,175</strong>(^2)</td>
<td>Average constituency size (electoral quota): c. <strong>76,000</strong></td>
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<tr>
<td>Boundary reviews every <strong>8-12 years</strong>.</td>
<td>Boundary reviews every <strong>5 years</strong>.</td>
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<tr>
<td>No clear prioritisation of <strong>factors determining constituency boundaries</strong>. Considerations: equal sizing, geography, avoidance of local authority boundaries.</td>
<td>Equal sizing (electoral equality) primary consideration in drawing constituencies. All constituencies must be within <strong>5%</strong> of UK electoral quota(^3).</td>
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<tr>
<td>The public has <strong>1 month</strong> to make representations in response to recommendations for change to constituency boundaries. An objection by a local authority or 100 constituents triggers a <strong>public inquiry</strong>.</td>
<td>The public has <strong>12 weeks</strong> to make representations in response to recommendations for change. There can be <strong>no public inquiries</strong>.</td>
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</tbody>
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\(^1\) Democratic Audit have predicted that Wales will lose 33% of its current seat allocation, Northern Ireland 17%, Scotland 12% and England 6%. [http://www.democraticaudit.org/download/Projecting_the_impact_of_reduce_and_equalise.pdf](http://www.democraticaudit.org/download/Projecting_the_impact_of_reduce_and_equalise.pdf)


\(^3\) Except when rule 7 is triggered for Northern Ireland. See 8.11. [http://www.re-constitution.org.uk](http://www.re-constitution.org.uk)
3 Constituency boundaries: current distribution

3.1 The number and distribution of parliamentary constituencies is currently determined according to the rules for redistribution of seats established in the 1986 Parliamentary Constituencies Act. These provide that:

3.1.1 Number of MPs:

1. The number of constituencies in Great Britain shall not be substantially greater or less than 613.

   The number of constituencies in Wales shall not be less than 35.
   The number of constituencies in Northern Ireland shall not be greater than 18 or less than 16.

   For Scotland, the same electoral quota shall be used as that for England.

2. Each constituency shall return a single member.

3.1.2 Avoiding local authority boundaries:

3. There shall be a constituency which includes “the whole of the City of London.”

   A constituency which includes the Orkney Islands or the Shetland Islands shall not include part of any other local government area.

4. “So far as is practicable"

   a) In England and Wales no constituency shall include parts of more than one county or London borough.

   b) In Scotland splitting regard should be had to the boundaries of local government areas.

   c) In Northern Ireland no ward (electoral districts used for the election of local councillors) shall be split between two or more constituencies.

3.1.3 Electoral equality:

5. The electorate of any constituency shall be “as near the electoral quota as is practicable”, taking into account rules 1-4.

   Rule 4 may be disregarded to avoid excessive disparities.

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http://www.re-constitution.org.uk
6. Rules 4 and 5 may be disregarded due to “special geographical considerations, including in particular the size, shape and accessibility of a constituency”.

3.1.4 **Frequency of boundary reviews:**

Each Boundary Commission must produce constituency reviews every 8-12 years.

3.1.5 **Public representations:**

After the publication of provisional Boundary Commission recommendations:

a) The public has one month to make representations

b) Any objection made by either a local authority or by 100 constituents affected by the proposed change will trigger a public inquiry.

c) After an Assistant Commissioner has reported on the Public Inquiry, if the Commission changes its recommendations these must be published and there is the potential for holding a second Inquiry.

http://www.re-constitution.org.uk
4 Constituency boundaries: proposed changes

4.1 The Parliamentary Voting System and Constituencies Bill⁵ (the Bill), repeals these provisions and provides that:

4.1.1 Frequency of boundary reviews:

The Boundary Commissions shall submit constituency reviews

(a) before 1st October 2013, and

(b) before 1st October of every fifth year after that.

4.1.2 Number of MPs:

1. The number of constituencies in the United Kingdom shall be 600.

4.1.3 Electoral equality:

2. The electorate of any constituency shall not vary from the electoral quota by more than 5%*  

*Exceptions to this rule:

a) Constituencies with an area of more than 12,000 square kilometres.

b) Preserved constituencies.

c) Northern Ireland constituencies may vary according to rule 7⁶.

4.1.4 Further considerations in drawing constituencies:

3. Each constituency shall be wholly in one of the 4 parts of the UK.

4. A constituency shall not have an area of more than 13,000 square kilometres.

5. Boundary commissions can take into account (within the 5% margin of the electoral quota) special geographical considerations, local government boundaries, European  

⁵ http://services.parliament.uk/bills/2010-11/parliamentaryvotingsystemandconstituencies.htm

⁶ Seen 4.1.5 and 8.11

http://www.re-constitution.org.uk
Parliament electoral regions, any local ties that would be broken by changes in constituencies and the inconveniences' attendant on such changes.

6. There shall be 2 preserved constituencies: Orkney and Shetland, Na h-Eileanan an Iar (the Western Isles).

4.1.5 The special case of Northern Ireland:

7. Once seats have been allocated to Northern Ireland, the difference will be calculated between:

   a) the number of NI seats multiplied by the UK electoral quota and
   b) the NI electorate

   If the difference exceeds one third of the UK electoral quota then constituencies in NI may vary from the average NI electorate (i.e. not from the electoral quota as prescribed in rule 2) by 5% of the UK electoral quota.

4.1.6 Allocation of seats to UK territories:

8. Constituencies shall be allocated to the 4 parts of the UK following the rule generally recognised as the fairest of such mechanisms (the Sainte-Laguë (or Webster) rule).

9. The “electorate” is calculated according to the register of parliamentary electors extant on the date at which a review commences.

4.1.7 Public representations:

Proposed changes to constituency boundaries must be available for public representations to the Boundary Commissions for 12 weeks.

No public inquiry can be triggered by proposals for change.

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8 The first seat is allocated to the territory with the biggest electorate. Subsequent allocations are made in the same way but taking into account those seats already allocated (territory electorates are divided by 2C + 1, where C= number of seats already allocated to the territory). http://www.re-constitution.org.uk
5  Policy development

5.1 There has been a steady increase in the size of the House of Commons throughout the twentieth century. Since 1986, there have been seven attempts to legislate for a reduction in the number of MPs through Private Members’ Bills. Three of these included provisions to equalise constituencies.

5.2 Conservative Party Policy

5.2.1 Amendment to the Constitutional Reform and Governance Bill 2009-10 in February 2010. This outlined their proposals to reduce the size of the House of Commons by 10% and to prioritise electoral equality in boundary reviews. The amendment was not called.

In 2007, a Bill presented by Lord Baker making a similar proposal passed through the House of Lords but was not considered in the House of Commons.

5.2.2 2010 manifesto

They were the only party to propose equalising constituency electorates:

A Conservative government will ensure every vote will have equal value by introducing ‘fair vote’ reforms to equalise the size of constituency electorates, and conduct a boundary review to implement these changes within five years.

They also proposed:

to reduce the number of MPs by 10 per cent.

5.2.3 David Cameron argued that these proposals were to cut costs and improve political efficiency.

More people sit in the House of Commons than in any other comparable elected chamber in the world. This is neither cost-effective nor politically effective.

5.3 Liberal Democrat Party Policy

5.3.1 2010 manifesto

They did not discuss constituency boundary revision according to electoral equality.

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9 Details are given in the 2010 House of Commons Briefing Paper, The Parliamentary Voting System and Constituencies Bill.


11 The amendment is reproduced in the House of Commons Briefing Paper, “Reducing the size of Parliament.”


http://www.re-constitution.org.uk
They proposed to reduce the number of MPs by 150, but as a result of introducing proportional representation.

Our preferred Single Transferable Vote system gives people the choice between candidates as well as parties. Under the new system, we will be able to reduce the number of MPs by 150.

5.4 Labour Party Policy

5.4.1 2010 manifesto

To establish a non-partisan Parliamentary Boundaries Review to examine the rules for constructing parliamentary constituencies.

5.5 Coalition Policy

5.5.1 The Coalition Agreement provides for

the creation of fewer and more equal sized constituencies.

5.5.2 Deputy Prime Minister’s statement

Made to the House of Commons on Government plans for political and constitutional reform on 5th July 2010, he outlined the main provisions of the Bill to be introduced before the summer recess.

5.5.3 The Parliamentary Voting System and Constituencies Bill

Published on 22nd July 2010. It received its Second Reading debate when the House returned from summer recess on 6th September. Consideration by a Committee of the Whole House was completed on 25th October. No significant amendments were made to the provisions to “reduce and equalise” constituency boundaries.

The haste of the Bill’s legislative timetable was widely criticised. Graham Allen complained that the Political and Constitutional Select Committee had been denied “any adequate opportunity” to scrutinise the Bill.

5.5.3.1 Asymmetric implementation: If the Bill is passed, provisions to reduce and equalise parliamentary constituencies will be implemented immediately.

Provisions to introduce the Alternative Vote electoral system will be implemented only in the event of a positive outcome in the referendum and the completion of constituency boundary revisions.

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16 A summary of the statement is given in the House of Commons Briefing Paper, Reducing the size of the House of Commons


http://www.re-constitution.org.uk
6 Criticisms of the status quo

6.1 Problematic rules for seat distribution.

The current rules for the distribution of seats as provided by the 1986 Parliamentary Constituencies Act:

6.1.1 Cause an increment in the number of seats in the House of Commons.

Rule 8 defines the electoral quota [...] as the total electorate of England divided by the existing number of seats. Any extra seats created [...] for reasons of electoral parity and geography in one review are therefore included in the divisor for calculating the electoral quota for the next review, thus creating a ratchet effect. 19

6.1.2 Have no clear hierarchy.

It is unclear which factors should be prioritised (size of electorate, geography, local authority boundaries) when drawing constituency boundaries. 20

6.1.3 Are contradictory.

Rule 1 seeks to constrain the size of the Commons while the collective result of the other rules is to produce more seats.

6.1.4 Do not prioritise electoral equality.

The current rules lead to differences in the size of constituencies, causing a differential level of representation:

1. Across the four territories in the UK

   In 2010, the average constituency electorate in each of the four territories was (with the standard deviations in brackets):

   England 71,882 (6,091)
   Scotland 65,498 (9,987)
   Northern Ireland 63,101 (7,159)
   Wales 56,545 (6,501) 21

2. Across individual constituencies

   The use of local authority areas as the basic units to which constituencies are allocated can result in substantial differences in constituency electorates. 22

19 2010 House of Commons Briefing Paper, The Parliamentary Voting System and Constituencies Bill. This rule also applies to Wales and Scotland.

20 This was made clear by the Foot et al. Case in 1983

21 British Academy, Drawing a new constituency map for the United Kingdom, 2010. Page 23

22 Ibid. Page 24
6.2 **Time-consuming process of boundary review.**

*English reviews have taken as long as six to seven years... It does mean that a set of constituencies used at a general election may be ‘old’ – in that the electoral data on which they were based refer to a date some years in the past. The 2010 general election, for example, was the first to use constituencies in England based on electoral data for the year 2000.*

6.3 **Current pro-Labour bias.**

The current system is biased against the Conservative Party. Some commentators (but not academic analysts) argue that the pro-Labour bias is created by the difference in the number of votes each party needs to win a seat ('malapportionment').

<table>
<thead>
<tr>
<th>Party</th>
<th>2001</th>
<th>2005</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Labour</td>
<td>67,544</td>
<td>66,802</td>
<td>69,145</td>
</tr>
<tr>
<td>Conservative</td>
<td>72,137</td>
<td>72,950</td>
<td>73,031</td>
</tr>
<tr>
<td>Liberal Democrat</td>
<td>69,584</td>
<td>69,430</td>
<td>69,610</td>
</tr>
</tbody>
</table>

23 Ibid. Page 28

24 Academic analysts argue that this difference is only a small part of the reason why the results of general elections since 1992 have been biased against the Conservatives (as well as the Liberal Democrats), to Labour’s advantage. Of greater importance have been differences in turnout – Labour tends to win in seats with lower turnouts than the Conservatives, and in the geography of each party’s support: in 1997, 2001 and 2005 Labour’s votes were much more efficiently distributed across the constituencies than were the Conservatives.

25 Ibid. Page 30

[http://www.re-constitution.org.uk](http://www.re-constitution.org.uk)
7 Perceived benefits of change

7.1 The Deputy PM argued in a statement to the House on 5th July 2010 that change will:

a) **Save money.**

   *Having 59 fewer MPs saves £12 million a year on pay, pensions and allowances alone.*

b) **Make votes more equal.**

   *By equalising the size of constituencies, we ensure that people’s votes carry the same weight, no matter where they live. Only months ago the electorate of Islington North stood at 66,472, while 10 miles away, in East Ham, the figure was 87,809.*

c) **Bring Westminster in-line with the size of legislatures internationally.**

   *The House of Commons is the largest directly elected Chamber in the European Union, and it is half as big again as the US House of Representatives. It was never intended that the overall size of the House should constantly keep rising, yet that is precisely the effect of the current legislation.*

7.2 **Address bias**

Prioritising electoral equality will address the current pro-Labour bias by ensuring that a more equal number of votes is required to elect members of each political party.27

7.3 **Up-to-date constituencies**

Increasing the frequency of boundary reviews means that constituency boundaries used in elections will be based on more up-to-date data.

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26 [http://www.publications.parliament.uk/pa/cm201011/cmhansrd/cm100705/debtext/100705-0001.htm#10070511000539](http://www.publications.parliament.uk/pa/cm201011/cmhansrd/cm100705/debtext/100705-0001.htm#10070511000539)

27 This claim is widely disputed. See 1.19 below.

[http://www.re-constitution.org.uk](http://www.re-constitution.org.uk)
8 Criticism of proposals for change

8.1 Continued bias

The pro-Labour bias in the current system will only be partly addressed by current proposals for change.

Changes in the redistribution procedure are unlikely to have a substantial impact and remove the significant disadvantage currently suffered by the Conservative party.¹⁸

Unequal constituency size (malapportionment) is only one of many contributing factors to electoral bias. Vote distribution (the capacity to win by a small majority and lose by a big majority improves a party’s vote to seat ratio) and differential levels of voter turnout have a much greater impact on electoral bias. Neither of these factors would be affected by current proposals.

Variation in constituency size has progressively decreased over the past 30 years. Figures suggest that the average deviation at the 2010 general election was 12%²⁹, which is considered to be relatively low.

8.2 Crossing local authority boundaries

An emphasis on electoral equality combined with a limited number of seats dictates that constituency boundaries will more frequently cross established local authority boundaries.

“It will almost certainly be necessary to cross either English regional boundaries or local authority/county boundaries. It may be necessary to sub-divide existing electoral wards – used to elect local councillors.”³⁰

This could cause administrative difficulties in the organisation of elections and render more complicated the representative role of MPs, who may be forced to liaise with multiple health, education and local government authorities.

8.3 Why 600?

The Coalition has not provided a clear policy argument for the new figure of 600 MPs.

There has been no statement to justify the change from original proposals to reduce the size of the House by 10%.

8.4 International comparisons unconvincing

The implication that proposals for a reduced House follow an international comparison is unconvincing. The Deputy Prime Minister’s criticism that Westminster is the “largest directly

²⁸ Borisyuk, G., Johnston, R., Rallings, C., Thrasher, M., Parliamentary Constituency Boundary Reviews and Electoral Bias: How Important Are Variations in Constituency Size?

²⁹ http://www.electoralcalculus.co.uk/PVSCBiB_analysis.html


http://www.re-constitution.org.uk
elected Chamber in the European Union” does not consider the fact that most large European states have more meaningful sub-national representation.

There are 577 deputies in the French National Assembly, but the country has 25 times more elected councillors than the UK. German voters return 622 representatives to the Bundestag, but they also elect powerful regional parliaments. Political representation does not begin and end with the national legislature.

8.5 “Vote equality” not just equally sized constituencies

Representation (and therefore the weight of votes) may be enhanced by other factors, including a coherent local identity, which allow an MP to better represent the views of constituents.

8.6 Interaction with other reform proposals not adequately considered.

8.6.1 Fixed-term parliaments

The coincidence of fixed parliamentary terms and boundary reviews every 5 years could mean that voters find themselves voting in a different constituency at each general election. This will also complicate the work of local party activists and electoral administrators.

In the case of an early dissolution of Parliament, the association between elections and boundary reviews will be thrown off balance. If this were to happen before October 2013 then a general election would be forced using the current 650 constituencies – and a subsequent (necessarily 5 years later) would be based on constituency data 5 years out of date.

The British Academy paper recommends:

“Parliament may wish to consider the possible implications of an early dissolution on the timetable for reviews set out in the Parliamentary Voting System and Constituencies Bill, either by an amendment or by ad hoc legislation should such an occasion arise.”

8.6.2 House of Lords reform

The Coalition proposes to directly elect the House of Lords. The details of this reform (i.e. the role of the new House, the size of constituencies, the number of representatives, the electoral system, the length of term etc) are not clear. It is impossible to predict how these proposals will interact.

8.6.3 Commons procedure

The Coalition has promised to follow the recommendations of the Wright Committee. There are a number of inconsistencies between these and proposals for boundary reform:

31 Made in a statement to the House 5th July 2010. http://www.publications.parliament.uk/pa/cm201011/cmhansrd/cm100705/debtext/100705-0001.htm#1007051100539


33 British Academy, Drawing a new constituency map for the United Kingdom. 2010. Page 17


35 Wright Committee Recommendations: http://www.publications.parliament.uk/pa/cm200809/cmselect/cmrefhoc/1117/111702.htm

http://www.re-constitution.org.uk
- A higher proportion of ministers in the Commons will increase the Government ‘payroll vote’.
- A higher constituency workload for MPs may lessen their ability to scrutinise legislation.
- The haste to rush the Bill through Parliament shows little regard for House procedure.

8.7 **True cost implications**

The Coalition has highlighted the reduced direct costs of MP salaries, expenses and pensions.

However, heavier workloads for MPs, including potentially dealing with multiple local authorities and broader demographics of constituents, could necessitate more resources, with associated costs.

8.8 **Impact on MPs**

Having a heavier, more fragmented constituency workload means that other areas of an MP’s work may be negatively affected. Including, for example, Select Committee representation.

8.9 **Use of the electoral register**

Basing boundary reviews on the number of registered electors is misleading. Critics argue that levels of voter registration are too low and too volatile for it to act as an accurate basis for mapping the population into constituencies. MPs do not only represent registered voters, but all members of a constituency. Levels of voter registration are also highly variable according to the nature of the constituency, with population figures in urban centres particularly badly reflected in the electoral register.

A census is to be completed in 2011, arguably this data would give a more reliable picture of population distribution.

_In some areas, the proportion of eligible electors missing from the registers may be as high as 25 per cent._

8.10 **A proportional increase in the ‘payroll vote’**

Reducing the number of MPs without changing the number of ministers in the House of Commons will increase Government control over the legislature.

The House of Commons Public Administration Select Committee said:

“At a time when there is discussion about whether the number of Members of Parliament should be reduced, any move in this direction which did not tackle the number of ministers would make the problem [...] about the excessive size of the payroll vote in the House of Commons even worse. That is where action can—and should—be taken now.”

http://blogs.lse.ac.uk/politicsandpolicy/?p=3294


http://www.re-constitution.org.uk
8.11 **The differential impact on UK territories**

Northern Ireland and Wales may have greater difficulty in complying with the threshold for electoral equality than the larger UK territories.

The exact seat allowance of each territory (territory electorate/ UK electoral quota) will necessarily deviate from the integer number of seats allocated. If the allocated number is rounded down then the relevant boundary commission will still be forced to accommodate the ‘extra’ electorate within the fixed deviation allowance of 5% of the UK electoral quota.

While this is likely to have little impact when distributed across a larger number of seats, the small number of seats allocated to Northern Ireland means that they could be significantly more constrained by electoral equality than the other territories. While the proposed Rule 7 looks to address this problem, The British Academy Policy Centre demonstrates that even with this solution in place, the average Northern Ireland constituency size could deviate by as much as 3.5% from the UK electoral quota. This gives the Boundary Commission very little margin for considering other factors, such as geographical considerations or local government boundaries.

One proposed solution is not to establish a maximum deviation from the UK electoral quota but from the average constituency electorate within each territory\(^{38}\).

8.12 **The proposals equate to 'gerry- mandering'.\(^{39}\)**

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\(^{39}\) Stuart Wilks-Heeg ("*Reduce and equalise? Why electoral geography matters.*" July 2010.) argues that in fact “there is zero evidence of political manipulation of the boundary review process. Even if the government thinks there will be partisan advantage in reducing the number of MPs, they will not have any significant influence over the process.”

http://www.re-constitution.org.uk
9 Further references and Links

Research papers:

http://www.britac.ac.uk/news/bulletin/Drawing_a_New_Constituency_Map_for_the_UK%5B1%5D.pdf


House of Commons Briefing Papers:


*Reducing the size of the House of Commons*, July 2010.  

Useful websites:

http://www.re-constitution.org.uk/