

Report To:	COUNCIL	Date:	29 JULY 2021
Heading:	BOUNDARY COMMISSION FOR ENGLAND PROPOSALS FOR PARLIAMENTARY BOUNDARIES		
Portfolio Holder:	LEADER OF THE COUNCIL		
Ward/s:	ALL		
Key Decision:	NO		
Subject to Call-In:	NO		

Purpose of Report

This report provides the Council with an overview of the Boundary Commission for England proposals for Parliamentary Boundaries and the consultation stage currently underway.

The report also asks Council to consider making a formal representation to the Boundary Commission.

Recommendation(s)

Council is recommended to:

- 1. Note the Boundary Commission for England proposals for Parliamentary Boundaries and the consultation stage currently underway.**
- 2. Consider whether to make a formal representation to the Boundary Commission on the basis of the suggested alternative boundaries detailed in the report.**

Reasons for Recommendation(s)

The 2023 Parliamentary Boundary Review is underway and public consultation in relation to the initial proposals closes on 2 August 2021.

Alternative Options Considered

Council is asked to consider the alternative proposals contained in the report.

Detailed Information

The Boundary Commission for England and Current Proposals

The Boundary Commission for England (BCE) is the independent and impartial organisation responsible for reviewing Parliamentary constituency boundaries in England (www.bcereviews.org.uk).

The BCE has the task of periodically reviewing all the Parliamentary constituencies in England. It is currently conducting a review on the basis of rules most recently updated by Parliament in 2020. These latest rules retain 650 constituencies for the UK Parliament as a whole, and require constituencies that BCE propose or recommend to comply with strict parameters, in particular as far as the number of electors in each constituency is concerned.

The review process is heavily informed by public consultation. The BCE develops and publishes initial proposals for constituencies across England. Representations from the public about these proposals are then taken in writing and at public hearings in each region of England across two rounds of consultation. In light of all the views expressed about these initial proposals, the BCE may revise them and then conduct a further round of written consultation on the revised proposals.

The BCE is required to make a formal final report to the Speaker of the House of Commons before **1 July 2023 (the 2023 Review)**, recommending any changes that it believes are appropriate to the distribution, size, shape, name or designation of constituencies in England.

The Government must turn the recommendations of the BCE an 'Order in Council' that implements the recommendations. The constituencies set out in the Order will then be implemented for the next General Election after the date on which the legislation is approved.

The current 2023 review will conclude with formal report and recommendations in June 2023. Consultation is currently open until **Monday 2nd August 2021** in relation to the proposals.

The detailed guide to the 2023 Review can be found at:

boundarycommissionforengland.independent.gov.uk/2023-review/guide-to-the-2023-review-of-parliamentary-constituencies/

The review timeline is as follows:

- ***December 2020 - March 2021: Establishing the data for the review***
- ***March - May 2021: Develop initial proposals***
- ***8 June - 2 August 2021: Consultation on initial proposals***
- ***Early 2022: Secondary consultation and public hearings***
- ***Late 2022: Third and final consultation***
- ***By 1 July 2023: Final report and recommendations***
- ***Late 2023: Recommendations made into law***

The Boundary Commissions Act 2020 (the Act) provides that the electorate figures that are to be used for this review are the Parliamentary electors as they were in the electoral register on 2 March 2020. The BCE has published all the base electorate data for the 2023 Review on its website.

The Act says that the BCE may have regard to 'local government boundaries' in developing its proposals. The Act defines such boundaries in England as the boundaries of counties and their electoral divisions; districts and their wards.

The Act requires there to be a **fixed number of 650 constituencies for the whole of the UK**. The Act 'protects' five specified island constituencies (two on the Isle of Wight for England, two for Scotland, and one for Wales), then provides a mathematical formula to determine how many constituencies each of the four parts of the UK should be allocated from the remaining 645, based on the electorate figures as at 2 March 2020. **The number of constituencies allocated to England for the 2023 Review is 543** (including the two for the Isle of Wight).

The BCE has subsequently distributed the 541 constituencies (i.e. the total English allocation less the two reserved for the Isle of Wight) between the nine 'English regions' defined in the Act.

This results in the following allocation of constituencies between the regions:

	Existing constituencies	Proposed constituencies
Eastern	58	61
East Midlands	46	47
London	73	75
North East	29	27
North West	75	73
South East	84	91*
South West	55	58
West Midlands	59	57
Yorkshire and the Humber	54	54

*Includes the two constituencies for the Isle of Wight

In formulating its initial proposals for particular areas, the BCE exercises its own judgement and does not consult the Parliamentary political parties, local authorities or any other interested groups or people. Once the proposals are published, the statutory procedures allow for a public consultation during which political parties and others can then make their views on proposed boundaries known to the BCE.

Rule 2, which provides that – apart from five specified exceptions – every constituency BCE recommend must have an electorate (as at 2 March 2020) that is no less than 95% and no more than 105% of the 'UK electoral quota'. **The UK electoral quota for the 2023 Review is, to the nearest whole number, 73,393.**

Accordingly, every recommended constituency (except the five 'protected' constituencies) must have an electorate as at 2 March 2020 that is **no smaller than 69,724 and no larger than 77,062**.

Rule 5 in Schedule 2 provides for a number of other factors that the BCE may take into account in establishing a new map of constituencies for the 2023 Review, specifically:

- special geographical considerations, including in particular the size, shape and accessibility of a constituency. Special geographical considerations refer to physical geography such as mountains, hills, lakes, rivers, estuaries, islands, and major roads, rather than to human or social geography;
- local government boundaries as they existed (or were in prospect) on 1 December 2020;
- boundaries of existing constituencies;
- any local ties that would be broken by changes in constituencies; and
- the inconveniences attendant on such changes

The policy of the BCE is to take into account all the factors listed in Rule 5 as far as possible, subject to the primacy of the permitted electorate range under Rule 2.

As far as possible, the BCE seeks to create constituencies:

- from wards that are adjacent to each other; and
- that do not contain 'detached parts', i.e. where the only physical connection between one part of the constituency and the remainder would require travel through a different constituency.

The BCE will **not** consider:

- Impact on future election results
- New local government boundaries
- Changes to electorates after the review date

In making its recommendations, the BCE is also required by the Act to specify a name and designation for each proposed constituency. The Act contains no guidance on these points.

The BCE's policy on the naming of constituencies is that, when constituencies remain largely unchanged, the existing constituency name should usually be retained. In such cases, constituency names are likely to be altered only where there is good reason for change (for example where a constituency named for its main population centre has, over time, seen that main population centre change).

Generally, the BCE considers that the name should normally reflect the main population centre(s) contained in the constituency, as that will likely be the main focal point for communities in the area. However, if a suitable alternative name is proposed which generally commands strong support locally, the BCE will usually be prepared to recommend that alternative.

The Act also requires that each constituency is designated as either a 'county constituency' or a 'borough constituency'.

Initial Consultation Period

Those who respond to the consultation are requested to say whether they approve of, or object to, the BCE's proposals. In particular, objectors are advised to say what they propose in place of the BCE's proposals. An objection accompanied by a viable counterproposal is likely to carry more weight than a simple statement of objection. A counterproposal setting out the composition of each constituency in an area will generally be viewed as more persuasive than a proposal for the composition of only one constituency which does not address any knock-on effects on the electorate figures of neighbouring constituencies.

Secondary consultation period

Following the eight-week consultation on the BCE's initial proposals, the BCE prepares and then publishes on its website all of the representations that it has received for each region. Once the representations have been published, there is a further statutory six-week period during which people can submit to the BCE written comments on those representations it received during the initial consultation period, for example, challenging or supporting assertions made in a representation. There is also the opportunity during this six-week consultation to make representations at public hearings (see below).

Public hearings

The BCE is required to conduct a minimum of two and maximum of five public hearings in each region of England. These must take place during the six-week secondary consultation period. The precise number and location of public hearings in each region will be determined by the BCE specifically in relation to the nature of the responses it receives to the consultation on its initial proposals

Development of revised proposals

The BCE considers all the written representations received in the initial consultation period, and all the written representations and oral representations made at public hearings in the secondary consultation period. The BCE then publishes a report for each region stating whether or not revisions have been made to the initial proposals for that region. Alongside these reports, it publishes all the written representations received – and transcripts from public hearings – during the six-week secondary consultation period.

If the proposals are revised, then the Act provides for a further period of four weeks for written representations to be made to the BCE on the revised proposals for that region. There are no public hearings at this stage; nor is there a repeat of the six-week period for commenting on the representations of others.

Publication of any representations received during the four-week consultation on revised proposals will take place alongside publication of the final report.

Final recommendations and report

The BCE takes into consideration any written representations made in the four-week consultation period about the revised proposals, and then makes its final decisions about whether further modifications need to be made in light of those representations.

When the BCE has decided on its final recommendations for the whole of England, it then drafts and submits a formal written report to the Speaker of the House of Commons. The submission of the formal final report concludes the BCE's involvement in the constituency review process. The

procedure to subsequently implement new constituencies is the responsibility of the Government but is set out below for information.

After the final report

After the final report from the BCE has been laid by the Speaker, within four months of the last report being laid, the Government is required to submit to the Privy Council an Order that gives effect to all four Commissions' recommendations. In drawing up that Order, the Government may not modify any of the recommendations of the Commissions, unless specifically requested to do so by the relevant Commission (and any such request must itself be laid before Parliament and published).

After the Privy Council approves the Order, the new constituencies take effect at the next General Election. Any by-elections held in the meantime have to be held on the basis of the old (existing) constituencies. The validity of an Order in Council, once made, may not be called into question in any legal proceedings.

Current Proposals under Consultation

The BCE's proposals which are being consulted upon and impact on the District of Ashfield relate to the Ashfield, Mansfield and Sherwood Constituencies. The proposals are set out in the attached BCE Maps appended to the report. Appendix 1 is the proposed Ashfield Constituency, Appendix 2 is the proposed Mansfield Constituency and Appendix 3 is the proposed Sherwood Constituency.

Compared to the existing Ashfield Constituency, the proposal sees the loss of the Broxtowe Borough wards and gains of Grange Farm and Brick Kiln Wards from the existing Mansfield Constituency. It is proposed that the Sherwood Constituency will retain all the Hucknall wards.

In order to ensure that electors have been made fully aware of the BCE proposals a link to the information was placed both on the Ashfield District Council website and social media platforms, encouraging electors to have their say on the proposals.

Informal Member Meetings

In light of the publication of the BCE proposals, the Leader called for a cross party informal meeting to take place in order for Members to be made aware of the proposals and consider potential responses. The informal group met on 5 and 15 July.

Potential Alternative Boundary Proposals

The informal group considered the BCE proposals and as part of that discussion, the Leader presented some alternative proposals. A potential alternative proposal is set out below, with reasonings, for Council to consider if it wishes to make a formal representation to the BCE. If the Council resolved to make a representation based on this alternative proposal, the Council is asked to delegate authority for the Chief Executive in consultation with the Leader of the Council to finalise the wording of the representation and to submit the same before the consultation period closes on **Monday 2nd August 2021**.

Council is reminded that any alternative proposals must maintain the primacy of the permitted electorate range under Rule 2; the electorate range must remain **between 69,724 and 77,062 (the UK electoral quota being 73,393)**.

The alternative proposal is put forward as follows:

- The Wards of Brick Kiln (electorate of 2,228) and Grange Farm (electorate of 2,385) should remain in the Mansfield Constituency as they are within the Mansfield District Council remit. If the proposed change was to be accepted local ties would be broken by changes in constituencies. The split would take half of Brick Kiln Lane into Ashfield and leave the remainder in the Mansfield Constituency. This has the potential to cause confusion for electors and they may also feel that their needs would not be as fully represented as they could be if they were to remain within the Mansfield boundary.
- Taking the wards of Meden (electorate of 2120) and Netherfield (electorate of 2130) out of the Mansfield Constituency and placing them in the Sherwood Constituency would be more in keeping with local ties and arrangements. They are village communities and share links with similar areas such as Blidworth and Ollerton.
- As the bypass in Hucknall provides for a natural divide between Hucknall West and the remaining wards of Hucknall; placing Hucknall West (electorate of 7,604) into the Ashfield Constituency would not divide a community or cause electors confusion.
- The alternative proposal complies with Rule 2 (UK electoral quota) and results in more consistent quotas to the three Constituencies: Ashfield under the BCE proposals has an electorate of 71,701; Mansfield under the BCE proposals has an electorate of 72,796 and Sherwood under the BCE proposals has an electorate of 76,543. The alternative proposals in this report produce revised electorates of 74,694 for Ashfield, 73,159 for Mansfield and 73,189 for Sherwood.
- The Proposal does not cross county boundaries.
- Under the alternative proposal, the Electoral Administration placed on Ashfield District Council will require cross district working with one other council (Newark and Sherwood District Council) rather than across two other councils under the BCE proposal (Newark and Sherwood District Council and Mansfield District Council). This eases the administrative burden and reduces complexity.
- The larger part of Ashfield District Council would be within the Ashfield Constituency aiding local identity to the Constituency.
- The maps showing the alternative constituencies are attached to the report as Appendix 4 (Ashfield Constituency), Appendix 5 (Mansfield Constituency) and Appendix 6 (Sherwood Constituency).

Implications

Corporate Plan:

Openness, transparency and local representation are key aspects of Governance with runs throughout the Corporate Plan.

Legal:

Legal issues are detailed in the report.

Finance:

Budget Area	Implication
General Fund – Revenue Budget	No direct financial implications arising from this report.
General Fund – Capital Programme	

Housing Revenue Account – Revenue Budget	
Housing Revenue Account – Capital Programme	

Risk:

Risk	Mitigation
There are no identified risks as the report relates to a consultation process and a possible response.	

Human Resources:

There are no direct HR implications contained within the report.

Environmental/Sustainability

There are no environmental or sustainability issues identified in the report.

Equalities:

There are no equalities issues identified in the report.

Other Implications:

None

Reason(s) for Urgency

Not applicable

Reason(s) for Exemption

Not applicable

Background Papers

None

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