

PRIME MINISTER

*I have incorporated most of
this in my note for Cabinet.
I felt my note was better than 2.
I hope you don't mind.*

BOUNDARY COMMISSION

You will have read about Roy Hattersley's challenge to the printing of the Boundary Commission Report in which he alleged that the Home Secretary had had the Report printed before he was legally entitled to have received it. The Home Office tell me this is nonsense. The Boundary Commission always present their reports in printed proof form as they did for example with their European Assembly Boundaries Report under the previous Government. The Home Secretary in fact received the Report ten minutes after the House of Lords ruling and it was the Boundary Commission themselves who made all the arrangements for printing, proof-reading, etc. The fact, however, that the Speaker will not give his ruling until tomorrow will mean that the debate on the Report cannot be until the week after next. This does not matter, however, given that the deadline of the 16 March Privy Council is some way away.

T.J.F.

16 February 1983

E.●

Printing of the Commission's Report

It is the practice of the Parliamentary Boundary Commission for England to submit its Report to the Home Secretary in the form of a printed proof. This was done for the Second Periodical Report (Cmnd 4084), the European Assembly Constituencies Report (Cmnd 7348) and the interim review of constituencies in the Royal Borough of Kensington and Chelsea (HC 25 of 16 December 1975).

2. On 17 December 1982 the Commission put in a printing requisition and this was approved by Home Office officials on 21 December 1982. All the subsequent printing arrangements, including the proof reading, were made by the Commission direct with HMSO. On 25 January 1983 the Court of Appeal dismissed an appeal against the decision of the Divisional Court concerning the Boundary Commission's recommendations. Counsel for the Commission told the Court of Appeal that the Commission's Report was ready for signature and would be signed that week. The Court noted this and granted a stay preventing the submission of the Report pending the outcome of a possible application by the plaintiffs for leave to appeal to the House of Lords. The Commission signed a proof copy of the Report on 1 February and with the approval of Home Office officials HMSO had final copies printed and warehoused. The Commission submitted their signed Report to the Home Secretary after leave to appeal had been refused on 11 February.

Printing of the draft Parliamentary Constituencies (England) Order 1983

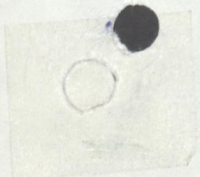
3. The House of Commons (Redistribution of Seats) Acts 1949 and 1958 oblige the Commission to publish its recommendations for constituencies and also to publish any changes which it makes to these recommendations. On 2 December 1982 the Commission sent out the last of its letters to Counties, Districts, London Boroughs, and other interested parties including the Home Office, stating that it had decided not to make any further changes to its last published proposals - in this case for Salford and Wigan. The Commission's latest recommendations for the whole of England were therefore known from 2 December 1982. A draft Parliamentary Constituencies (England) Order could be drafted knowing that if the Commission subsequently altered its recommendations it would have to publish the alterations. A draft was accordingly prepared on a contingency basis and sent to the printers on 17 January. The Commission submitted its report on 11 February; the draft Order was checked against the Commission's recommendations; the Home Secretary considered the report together with representations that had been made to him on the Commissioner's latest recommendations and decided not to modify the draft order; and, on 14 February, as required by section 2(5) of the House of Commons (Redistribution of Seats) Act 1949, the Commission's report was presented to Parliament together with the draft Order.

Home Office

16 February

16 FEB 1983

12 1 2 3
4 5



PRESS NOTICE

REPORT OF THE PARLIAMENTARY BOUNDARY COMMISSION FOR ENGLAND

Changes to 468 of the 516 existing constituencies in England and a net increase of 7 to a total of 523 are proposed by the Parliamentary Boundary Commission for England whose report is published today. A draft Order in Council giving effect to the Report's recommendations without modifications is also laid today.

The draft Order must be approved by both Houses of Parliament and by The Queen in Council. The new constituencies then come into force at the next General Election. They do not affect any by-elections held meanwhile.

Constituency Review

The review has taken just under 7 years to complete. (Progress was delayed in 1978 to await the outcome of proceedings against the Local Government Boundary Commission for England.) The Report was submitted to the Home Secretary on February. The last review was in 1969.

Effect of the Recommendations

The Commission's proposals represent one of the most radical changes in parliamentary boundaries ever seen in England. Only 48 constituencies remain unchanged in either electorate size or area. There are two main reasons for this: changes in local government areas and movements in population. The local government reforms of 1972-74 created new districts, some new counties and 6 wholly new metropolitan counties. These changes meant that when the review began, 49 existing constituencies crossed county boundaries and many more cut across the new district wards and new wards of London Boroughs. The Commission's decision to use district and London Borough wards as building blocks for new constituencies (Chapter 2, paragraph 18) was bound to involve changes to almost every existing constituency.

At the same time the electorate had increased, chiefly through the lowering of the voting age from 21 to 18 in 1969, and shifted. These movements in population are reflected in the Commission's final recommendations which reveal a drop in seats in the large cities, and the allocation of extra seats to the non-metropolitan counties, the latter containing many new towns and expanding areas, to which special provision is made in the Commission's proposals. The continuing movement from

large cities to more rural areas is illustrated by the Commission's comment that 7 non-metropolitan counties (Gloucestershire, Hampshire, Hertfordshire, Humberside, North Yorkshire, West Sussex and Wiltshire) would be entitled to an extra seat if 1982 figures were used (Chapter 5, paragraph 11). This growth in the electorate in non-metropolitan counties has made electoral inequality more marked, with 13 seats wholly in these counties having over 100,000 electors in 1982, whereas 15 constituencies wholly in metropolitan counties have fewer than 40,000 electors.

More generally, on the 1976 electorates used by the Commission for its review, ^{existing} 165/constituencies have electorates more than 20% higher or lower than the electoral quota (65,753).

All the recommended constituencies are contained within county boundaries and only 17 have electorates more than 20% away from the electoral quota.

The largest and smallest existing constituencies are Buckingham, with 122,036, and Newcastle-upon-Tyne Central with 24,574 electors respectively in 1982. The largest and smallest recommended constituencies are the Isle of Wight and Surbiton with 94,768 and 47,313 electors respectively in 1982.

County Analysis

The table attached shows for each county the number of existing constituencies and parts of constituencies, the theoretical entitlement and the number of recommended constituencies.

Gainers and Losers

It is difficult to identify accurately which counties have gained or lost seats in the proposals because the alterations to county boundaries since the last review mean that like cannot always be compared with like. Clear gainers would appear to be: Buckinghamshire, Cambridgeshire, Essex, Hampshire, Hereford and Worcester, Hertfordshire, Kent, Northamptonshire, Nottinghamshire, Oxfordshire, South Yorkshire, Staffordshire, and Suffolk. Clear losers would appear to be: Greater Manchester, Tyne and Wear, West Yorkshire and Greater London. The cities of Birmingham, Gateshead, Liverpool, Manchester, Newcastle and Salford have all lost seats. Overall the non-metropolitan counties gain 20 seats and the metropolitan counties and the GLC lose 13 seats.

Greater London is the greatest loser, dropping from 92 to 84 seats; but it is strictly entitled to only 80 seats, if taken as a whole. The over-representation stems largely from the statutory requirement that, so far as is practicable, constituencies should be contained within borough boundaries and the Commission's decision, approved by the representatives of the Conservative, Labour and Liberal parties, to observe these boundaries (Chapter 2, paragraphs 12-14 and Chapter 3, paragraphs 1-5). Camden, Hackney, Haringey, Harrow, Islington, Lambeth, Wandsworth and Westminster are the boroughs which each lose one constituency.

The Commission allocated Cumbria, Lancashire and Northumberland one more constituency than each was theoretically entitled, because of special geographical considerations. Without these additional seats, all 3 counties would have lost seats.

Table showing for each county existing constituencies, constituency entitlements and the number of constituencies recommended by the Commission.

County	Existing constituencies (and parts)	Theoretical entitlement	Recommended constituencies
<u>Non-metropolitan counties</u>			
Avon	7 (+ 3)	10.29	10
Bedfordshire	5	5.08	5
Berkshire	5 (+ 4)	7.01	7
Buckinghamshire	4 (+ 1)	5.47	6
Cambridgeshire	5	5.93	6
Cheshire	7 (+ 6)	9.86	10
Cleveland	5 (+ 3)	6.13	6
Cornwall	4 (+ 1)	4.67	5
Cumbria	6 (+ 2)	5.42	6
Derbyshire	10 (+ 1)	10.08	10
Devon	10 (+ 1)	10.50	11
Dorset	6 (+ 2)	6.68	7
Durham	5 (+ 4)	6.88	7
East Sussex	7 (+ 1)	7.82	8
Essex	14	15.78	16
Gloucestershire	5 (+ 1)	5.43	5
Hampshire	12 (+ 2)	15.38	15
Hereford and Worcester	6	6.55	7
Hertfordshire	9	10.28	10
Humberside	6 (+ 5)	9.42	9
Isle of Wight	1	1.35	1
Kent	15	16.06	16
Lancashire	13 (+ 9)	15.47	16
Leicestershire	8 (+ 1)	9.22	9
Lincolnshire	4 (+ 3)	5.82	6
Norfolk	7 (+ 1)	7.57	8
Northamptonshire	5	5.50	6
Northumberland	2 (+ 3)	3.30	4
North Yorkshire	4 (+ 10)	7.32	7
Nottinghamshire	9 (+ 1)	10.89	11
Oxfordshire	3 (+ 4)	5.50	6
Shropshire	4	3.89	4
Somerset	4 (+ 2)	4.56	5

E.R.

Staffordshire	10	10.95	11
Suffolk	4 (+ 1)	6.21	6
Surrey	10 (+ 1)	11.21	11
Warwickshire	3 (+ 2)	5.09	5
West Sussex	6 (+ 2)	7.25	7
Wiltshire	4 (+ 2)	5.43	5

Total		307.25	310
-------	--	--------	-----

Metropolitan counties

Greater Manchester	27 (+ 10)	29.69	30
Merseyside	14 (+ 7)	17.68	17
South Yorkshire	13 (+ 4)	14.71	15
Tyne and Wear	12 (+ 5)	13.48	13
West Midlands	31 (+ 2)	30.30	31
West Yorkshire	20 (+ 8)	22.92	23

Total		128.78	129
-------	--	--------	-----

Greater London	92	79.97	84
----------------	----	-------	----

Grand Total		516	523
-------------	--	-----	-----

BACKGROUND BRIEFING

REPORT OF THE PARLIAMENTARY BOUNDARY COMMISSION FOR ENGLAND

Section 2(5) of the House of Commons (Redistribution of Seats) Act 1949 states:

"As soon as may be after a Boundary Commission have submitted a report to the Secretary of State under this Act, he shall lay the report before Parliament together, except in a case where the report states that no alteration is required to be made in respect of the part of the United Kingdom with which the Commission are concerned, with the draft of an Order in Council for giving effect, whether with or without modifications, to the recommendations contained in the report."

No definition is given of the meaning of "as soon as may be". In 1954 the English Report was submitted on 10 November and laid on 18 November. In 1969 the English Report was submitted on 21 April, presented to Parliament on 19 June with a Bill designed to give effect to only some of the Commission's recommendations. The Bill was heavily amended in the Lords. On 20 October proceedings were opened in the High Court against the Home Secretary to compel him to lay draft Orders in Council. On 28 October the Home Secretary laid 4 draft Orders for giving effect without modifications to the recommendations of all 4 Boundary Commissions.

In 1982 the Northern Ireland Report was submitted on 27 October and laid on 17 November. In 1983 the Welsh Report was submitted on 21 January and laid on 7 February.

POSSIBLE QUESTIONS

Why has the Report been laid so quickly?

The Home Secretary thought that after the long drawn out legal proceedings and the publicity given to the likely content of the report, it was important that Parliament should see the report as soon as possible.

Has the Home Secretary considered representations?

Representations made to the Commission before its last meeting on 1 February were considered by the Commission before the Report was submitted. All representations received in the Home Office or in the Commission after that date were considered by the Home Secretary after the Report was received and before its laying.

How could the draft Constituencies Order be prepared so quickly?

A draft was prepared on the basis of the Commission's last published recommendations. ^{There is a statutory obligation on the Commission to publish any changes that they make to their recommendations.} As soon as the report was received this draft was checked against the Commission's final recommendations.

Why has only one draft Constituencies Order been laid?

This follows the precedents. In 1945 (as an interim measure for the 1945 General Election) the English Commission recommended divisions of 20 abnormally large constituencies into 45 and its recommendations were implemented by one Order in Council. In 1948 the Commission's recommendations, following a general review, were enacted as a Schedule to the Representation of the People Act 1948. In 1969 the then Labour Government laid one draft Order for each part of the United Kingdom. Those Orders were voted down in November 1969. In October 1970 the then Conservative Government moved the same 4 Orders which were then approved. On only one occasion has a multiplicity of draft Orders been laid: in 1954 52 draft Orders were laid, 39 for England, 3 for Wales and 10 for Scotland.