

Local Seats For Local People?

Reviewing the Boundary Review

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Executive Summary

The government is pressing ahead with a rapid Boundary Review which aims to equalise the size of electorates throughout the country. The aim of equal-sized seats is correct and indeed overdue. However, the Bill before Parliament does not go far enough, fast enough.

Bias in this research note is understood as the electoral system rewarding parties unevenly, not necessarily unfairly. There are several different components of the electoral system's uneven rewards, including constituency size, turnout and the effects of minor parties. While constituency size is not the largest source of bias (differing levels of turnout in seats won by the various parties is consistently worth more to Labour) it is substantial and, more importantly, the only major source of unfair bias. In 2010, 18 seats out of a net total bias to Labour of 54 seats were due to different constituency sizes.

There are significant regional and national differences in constituency size, with Wales being significantly overrepresented. 38 out of 40 Welsh constituencies have a smaller electorate than the smallest constituency in the South East of England, one of the most under-represented regions. Also, 36 of 40 Welsh seats are among the 100 smallest seats in the UK. The smallest mainland seat, Arfon, is less than half the size of 21 other constituencies.

Locally there are absurd examples of different seat sizes – neighbouring London seats East Ham and Leyton and Wanstead have electorates of 90,674 and 63,541 respectively. This is democratically indefensible.

The cause of the wildly varying size of electorates is the outdated way boundaries are redrawn. The Boundary Commission process has become politicised, with professional party operatives touring the country lobbying for the most generous boundaries they can achieve for their party. This drags the process out – the last review took seven years. Australia and New Zealand manage the same process in 6 months. Even more impressively, New Zealand managed to deal with all complaints in just six days in 2002.

The Bill proposes a maximum geographic size for constituencies, which is unjustifiable – around one fifth of constituencies in Australia and Canada are larger than this limit, and each of those countries have two

constituencies more than 100 times the size. Sparsely populated seats may require more travel or staffing allowances but in the modern world they do not justify undemocratic over-representation.

Analysing the last review demonstrates three important problems, all of which can be fixed quite simply. The Bill before Parliament addresses two of these, but could do so better; while it ignores the third.

- The size of review areas – one or more local authority areas which is divided into constituencies – is often far too small to enable equal-sized seats. There is a correlation between how many seats are in a review area and how even the result is. Larger review areas, such as Kent or West Yorkshire, produce much more even outcomes.
- The public inquiry has been taken over by the political parties and actually makes the results less even overall. As well as taking far too long, it should be depoliticised by removing the ability of the political parties to lobby for more generous boundaries. The 1990s review was scored as a ‘win’ for Labour, while the most recent review was more balanced. That the review is being scored like a sports match demonstrates how politicised it has become.
- Finally, population change, especially when the review takes the best part of a decade, produces extremely divergent constituencies. Some constituencies grew 16% between the start of the last review and the first use of the boundaries, while others shrank by more than 14%. That the shrinking seats tend to be in Labour strongholds is a major source of bias. Speeding up the review would help; using projected electorate estimates would eliminate the problem entirely, making seats fair at the election at which they are used.

The Bill currently before Parliament is a step in the right direction, but will not go far enough to ensure fair seat sizes. The government should go further, faster.

Improving recommendations already in the Bill

1. The Boundary Review process should be reformed to depoliticise it and make it much more efficient. The political parties have learnt to manipulate the public inquiry which has made it more vulnerable to gerrymandering, albeit competitive and transparent gerrymandering. This should be changed to allow effective local representation but to restrain the professional party operatives from turning the review into drawn-out theatre.

2. Representations to the Commission should be in writing and time-limited. The proposed 12-week limit may be too generous to the political parties’ national organisations, and should be reconsidered. 30 days is adequate for genuine local objections and too tight for national party organisations to try to gain benefit everywhere.

3. There should be a single, UK-wide electoral quota. After devolution there is no democratic justification for over-representation of Wales, Scotland or Northern Ireland which previously had more seats per population

than England. Scotland has already been brought into line with England; there is no reason Wales should continue to be 25% over-represented. This is part of the government's proposals and must be implemented.

Recommendations to go further, faster or better

4. Time limits should be enacted to prevent the review taking excessively long. Australia and New Zealand can draw up their seats in 6 months; it should not take longer than a year to re-draw the UK's.

5. The review should use projected electorate figures. Constituencies should be approximately equal at the time of their use, not ten years after as was the case for the 'new' constituencies used in 2010. By shortening the timescale of the review and using ONS projections the constituencies can be fair at the election they are used in. At the very least, expected population change should be included in the list of factors the Commission may take into account.

6. The Boundary Commission should group constituencies into larger review areas. Review areas of more than 10 seats were much closer to the quota than smaller ones, due to simple mathematics. Equality of representation is more important than local council boundaries, and this should be reflected in grouping seats to ensure closer adherence to the mean which implies more frequent cross-district seats. This would result in more even sized seats in urban areas which tend to have far too small review areas, rather than having very large and very small seats next to each other.

7. There should be a review immediately after each election. This would make each review less radical and allow more time than the current proposals for the parties and local authorities to adjust to new boundaries. Rather than have absolutely regular reviews, this maximises the gap between new constituencies being drawn and their use, even though they have been drawn to have equal electorates at the time of use.

8. The maximum geographic size limit for constituencies should be removed. There is no democratic justification for undersized constituencies in an age of very advanced communications. Extra transport or staffing allowances might be justified; over-representation is not.

Introduction

The coalition government's Parliamentary Voting System and Constituencies Bill includes provisions to both reduce the number of MPs and to equalise their electorates. Introducing the Bill, the Deputy Prime Minister cited a "deep unfairness" in the current system, including the very unequal size of seats in different parts of the country.¹ He also made the case that the House of Commons is unusually large among other legislatures.

That constituency sizes vary significantly is a familiar part of the British system. This state of affairs has become particularly important in the wake of devolution and the geographic polarisation that translates the difference in constituency size into an advantage for the Labour Party. The key here is the electoral quota – the number of electors the Boundary Commission aims to place into each constituency.

It has long been recognised that there is a bias in the electoral system, as a result of various different factors. This has evolved from several sources: voter behaviour, party competition and the out-of-date way boundaries are reviewed. For the last four elections there has been a very considerable bias to the Labour Party, giving it massive majorities on historically unremarkable shares of the vote (1997 and 2001) and a large majority on the lowest ever winning share (2005). In 2010 the electoral system rewarded Labour with a significant share of seats in the House of Commons on the party’s second lowest share of the vote since 1918.

Key terms and dates

Electoral Quota: the number of voters the Boundary Commission aims to deliver in each constituency.

Previously different in each part of the union, the government proposes equalising it across the UK.

Review Areas: one or more local authority areas which the Boundary Commission divides up into constituencies.

Periodic Review: the regular (every eight to twelve years) redrawing of constituency boundaries. The date each reported is in the table:

First Periodic Review	1954
Second Periodic Review	1969
Third Periodic Review	1983
Fourth Periodic Review	1995
Fifth Periodic Review	2007

The fifth Boundary Review produced the new seats in use for the first time in the general election of 2010. That it started in 2000, and took seven years to complete, should be a cause for reform in itself. That it manifestly failed to deliver constituencies anywhere near equal size is more worrying. Previous reviews, reporting in 1954, 1969, 1983 and 1995 demonstrate several trends: gradually improving equality of electorate size, albeit from a low base and with remaining large variations, counterbalanced by growing politicisation and increasing length of time taken over the review.

There are many ways in which the Boundary Review process itself could be improved. It has become so drawn out in part because of a political competition between the parties to ‘win’ each review area – in other words, competitive gerrymandering. This contrasts with the brisk efficiency of Australia and New Zealand which typically take 6 months to redraw all boundaries.

There are two good reasons to reform how we draw constituency boundaries: efficiency and democracy. Neither is well served by the current system – and neither will be sufficiently addressed by the reform on offer by the government. They can, and should, go further, faster.

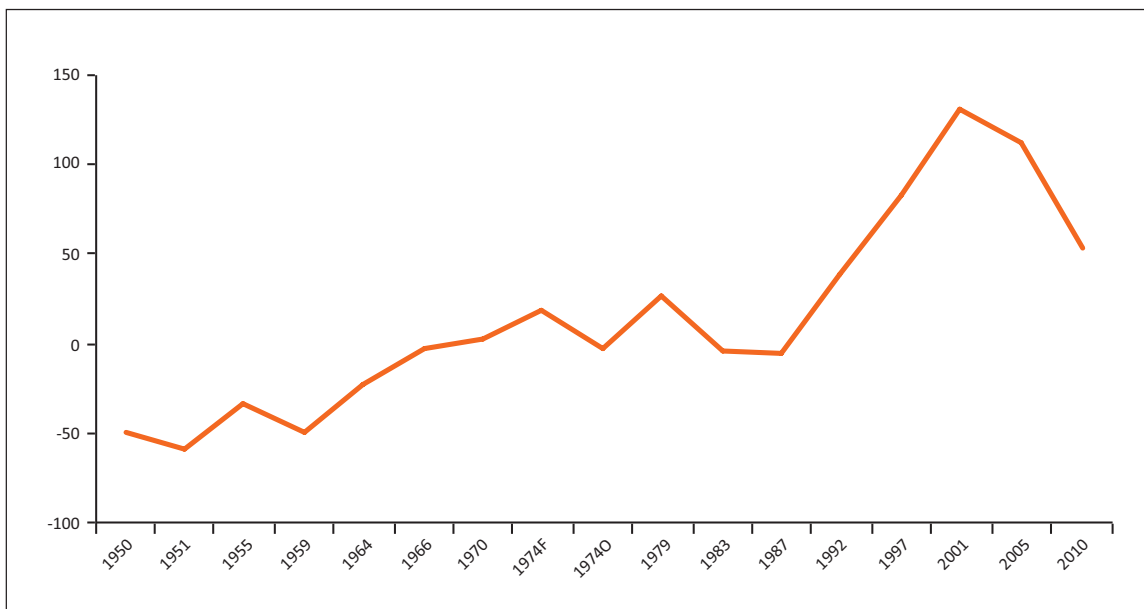
Key points from the Parliamentary Voting System and Constituencies Bill

- A single, UK-wide electoral quota – around 76,000 voters per constituency
- A review every five years from 2013
- Reduction in the number of constituencies to 600
- Maximum 5% divergence from the electoral quota (except for exceptional seats)
- Maximum geographic size of constituencies of 12,000 square kilometres
- Abolishing the public inquiry

Bias in the electoral system

There has long been a partisan bias in the electoral system – defined as the system rewarding one party more generously than the other from the same vote share. This is due to several different components. The total bias has changed over time, from a moderately strong pro-Conservative bias in the 1950s and early 1960s, approximate neutrality from the early 1960s up to 1992, and then a very strong pro-Labour bias since. In Figure 1, a positive number indicates a pro-Labour bias and a negative number a pro-Conservative bias.²

Figure 1. Bias in UK general elections since 1950, in number of seats



Johnston *et al* disaggregated the components of the bias for the 2001, 2005 and 2010 elections (Table 1). This is reported as number of seats the bias is worth to each party, with a positive figure being a pro-Labour bias and a negative one a pro-Conservative bias.

The very large Labour biases in recent elections come principally from the Labour Party's efficient distribution of votes (worth 74 seats in 2001), the lower turnout in Labour-held seats than Conservative ones (worth 38 seats in both 2001 and 2005), and constituency size (worth 20 seats in 2001 and 26 in 2005). The impact of third parties approximately cancels itself out.

In 2010 the same pattern held apart from efficiency, where the Conservatives had drawn level. Even at a very low ebb in terms of national share of the vote though, Labour still had a substantial benefit from constituency size of 18 seats.

Table 1. Components of bias in 2001, 2005 and 2010, in number of seats³

	2010	2005	2001
Constituency size: national differences	9	6	5
Constituency size: within-country	9	20	15
Turnout	31	38	38
Third-party vote	-17	-17	-24
Third-party victories	21	26	31
Efficiency	0	35	74
Interactions	1	2	-8
Total	54	111	131

Constituency size is the only major component of bias that could be considered due to unfairness in the rules though, since the others are largely a question of party competition or voter behaviour. But 26 seats out of 111 (23% of the bias) in 2005, and 18 out of 54 (33%) in 2010 is not insubstantial. Other things being equal (which they probably wouldn't have been), had there been no constituency size bias the Conservatives would have been only one seat short of an overall majority in 2010, substantially changing the political arithmetic.

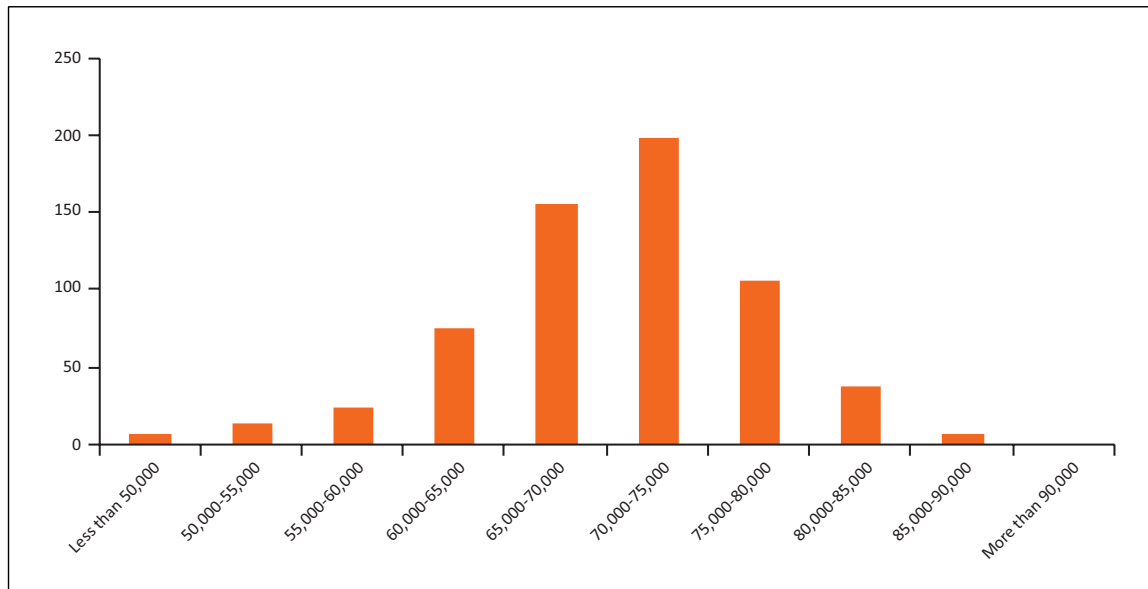
Constituency size⁴

The size of electorates in constituencies varies enormously in the UK. Wales had a significantly lower electoral quota of 55,640 electors. Northern Ireland was similarly over-represented (quota of 60,969) while the English quota was 69,932.⁵ Scotland had its constituencies redrawn in 2004, with a quota of 69,934 to bring it into line with England.⁶

At the 2010 general election the smallest seat, Na h-Eileanan an Iar (the Western Isles) had an electorate of just 21,780. The largest seat, the Isle of Wight, had 109,902 on the electoral roll – more than five times as many voters. That both of these seats are islands explains their exceptional electorates, since the rules for drawing up boundaries allow for geographic factors to produce wildly diverging electorates. More problematic is that the Isle of Wight is the only substantially over-represented exceptional case, with the others being very substantially under-represented.

More problematic is that once we look at less exceptional seats a very significant range remains. Arfon in Wales, the smallest seat on the mainland had just 41,198 voters at the last election – less than half the electorate of the 21 largest seats, nearly all of which are in London, the South East, South West or East of England.

Figure 2. Distribution of electorate sizes in Great Britain at the 2010 general election



There is a significant regional pattern to different seat sizes. Wales in particular has far too many seats, with an average size of just 56,626 voters compared to the Great Britain average of 70,326. Within Wales, North Wales has lots of very under-sized seats while South Wales is somewhat closer to the English average, although still below it.

Strikingly, of the 100 smallest electorates in Great Britain, 36 are in Wales – 90% of all Welsh seats. Two regions, East and Southeast of England, have none of the 100 smallest seats, while the four southernmost regions of England have only five between them – out of their 275 total seats. Unsurprisingly the reverse is true for the 100 largest electorates, 66 of which fall in the same four regions of Southern England. The comparison between Wales and these regions is quite striking – 38 Welsh constituencies (out of 40) are smaller than the smallest seat in the Southeast of England, Brighton Kemptown.

Table 2. The hundred smallest and largest seats by region/country

Region/Country	Total seats	Smallest 100 seats		Largest 100 seats	
		Number	%	Number	%
Wales	40	36	90.0%	0	0.0%
Scotland	57	20	35.1%	3	5.3%
Northeast	29	7	24.1%	1	3.4%
Northwest	75	12	16.0%	9	12.0%
West Midlands	57	10	17.5%	2	3.5%
East Midlands	46	5	10.9%	9	19.6%
Yorkshire and The Humber	52	5	9.6%	9	17.3%
East of England	61	0	0.0%	12	19.7%
Southeast	87	0	0.0%	22	25.3%
London	73	4	5.5%	18	24.7%
Southwest	54	1	1.9%	14	25.9%

While inter-regional differences are striking, there are more absurd examples over a very small geographic range. London has the best example of this, with East Ham’s 90,674 electors bordering Leyton and Wanstead’s 63,541. This is strikingly unfair to the residents of East Ham but also to their MP who has nearly half as much casework again compared to the MP for a neighbouring constituency.

Worthy exceptions? The Highlands and Islands

The Scotland Act 1998 rules that the constituency containing the Shetlands and Orkneys must not contain part of any other local authority area – effectively banning merging it with the nearest mainland. This leaves three very undersized seats in the Highlands and Islands – Na h-Eileanan an Iar, with an electorate of 21,780; Ross, Skye and Lochaber, with 51,836; and Caithness, Sutherland and Easter Ross with 47,263. The total electorate of these three seats is 120,879, which in England, or in fact lowland Scotland, would produce two under-quota seats and is not much more than the electorate of the Isle of Wight. Without a prohibition on merging Na h-Eileanan an Iar and the mainland, this would be a very simple thing to correct, with two seats including one which took in much of the present Na h-Eileanan an Iar and Ross, Skye and Lochaber constituencies. There are other seats that include islands and mainland – Ross, Skye and Lochaber itself; Argyll and Bute; and St Ives (which includes the Scilly Isles).

The argument has traditionally run that MPs need to be able to serve all their constituents and that a seat that is difficult to get around makes this impossible. This used to be used as an argument for over-representing rural seats in general – yet this was rejected at the second review as communication problems “may not be as great today [i.e. 1969] as in the past”.* There may be grounds to allow for greater transport or even staffing expenses, but given communications technology geographic sparseness should not override democratic fairness. That Charles Kennedy, MP for Ross, Skye and Lochaber, was able to adequately represent his

constituents while leading a major UK political party does not support the case that it is not possible for an MP to represent a sparsely-populated constituency.

*Rossiter et al, *The Boundary Commissions*, p165

How many MPs?

Reducing the number of MPs is a separate issue to equal sized constituencies. The number of MPs has always been set by Parliament, and is large by international standards, having more MPs than Germany despite a smaller population, for example. Intriguingly, the size of most national legislatures are close to the cube root of each country's populations – the so-called “cube root law”.⁷ For the UK this would produce a Parliament of around 400, making the trimming of 50 MPs suggested by the government not remarkably radical. The Parliament Act (1944) stipulated that Great Britain should have “not substantially greater or fewer than 591 constituencies”.⁸ This had crept up by the 1986 Act to 613.⁹ At 650 MPs, the House now substantially exceeds this for no good democratic reason. In fact, if we were to take the reduction in Scottish seats after devolution into account, that 613 becomes (by design or coincidence) the government's figure of 600. The bigger change is the precision around the number: previously it was “not substantially more or fewer than”; the Bill currently going through Parliament stipulates exactly 600 seats.

Both the 1944 and 1986 acts included minimum numbers of MPs for the constituent parts of the UK other than England. In the 1986 Act, Wales was guaranteed a minimum of 35 and Northern Ireland no more than 18 and no fewer than 16. Prior to the Scotland Act (1998) which removed the entitlement, Scotland was entitled to no fewer than 71. That Scotland's minimum entitlement has been removed in the wake of devolution suggests that Wales and Northern Ireland should no longer enjoy a minimum entitlement or the separate constituency quota that entails. This is reflected in the absence of such a quota in the new Bill and the UK-wide quota.

The process of the Boundary Review

There are seven steps in the Boundary Review process, which take a varying amount of time. The first task is for the government to decide how many seats should be drawn up and thus what the electoral quota is. Previously, this involved deciding how many seats to allocate to England, Wales, Scotland and Northern Ireland separately, leading to quite divergent quotas for each country. The quota is the size of electorate the Boundary Commission aims for in each seat. At the last review it was 69,932 electors per seat in England but only 55,640 in Wales.¹⁰

The second and third steps underline one of the most important aspects of how we draw boundaries. The quota is applied to local authority areas, which in some cases are combined where they represent an unfeasible number of seats, for example combining Richmond upon Thames, which has an entitlement to 1.74

seats with Kingston upon Thames, which has an entitlement of 1.43, creating a joint area with an entitlement of 3.17 seats.

The next step is for the Boundary Commission to draw up provisional recommendations for constituencies and publish them. These are then debated at the public inquiry stage, which can be lengthy. After the inquiry, the Commission makes its final decisions and the recommendations go back to Parliament to be passed into law.¹¹

The steps that might be considered for reform, especially in the context of aiming for equal-sized seats, can be grouped into those to do with the quota and groupings, and the local inquiry. Setting the quota is relatively simple, although the inequality between different parts of the UK must surely be ripe for change. How local authority areas are grouped is vital to consider since this is one major source of very uneven seat sizes. The quota and groupings should be set in as transparent a manner as possible – at present the rules are very ambiguous. While groupings are probably necessary to ensure the area under discussion is comprehensible to those discussing it, they must be large enough to allow equal-sized seats to be drawn.

The local inquiry has become rather politicised and causes the whole process to drag out for years longer than it should. There is no real benefit to anyone other than the political parties in playing games with the boundaries, especially as they tend to cancel out unless one party is much better than its competitors.

The history of the Boundary Reviews

Regular Boundary Reviews are surprisingly new, with the most recent one being only the fifth. The requirement for periodic reviews was introduced only by the 1944 Act with subsequent reviews reporting every ten years or so. While they have always been formally independent, the potential for political gaming has always been present. For example, the second periodic review reported reasonably close to an expected election, leading the Wilson government to seek to delay its introduction until after the election by instructing its own backbenchers to vote it down. Conversely the fourth review, which was expected benefit the incumbent Conservatives ahead of a difficult election was pushed through on a short timescale.¹²

The political party games do not end at timing. Within each review area, there is a contest between the major parties to obtain the best boundaries for them. This is often achieved by getting their opponents' strong wards all in the same seat and tilting the rest of the area to themselves. As Rossiter *et al* note, all the political parties "have become skilled at exploiting the public inquiry" to their own ends.¹³

The 1990s review was an excellent example of this. The battle between the two parties was scored by Rossiter *et al* as being won by Labour by 40 review areas to 31. This was the fruit of a long-run strategy within the party that comprehensively outdid the Conservatives. The Boundary Strategy Group, headed by Margaret Beckett among others, ensured that Labour took the 1990s review much more seriously than their opponents, with a better funded team, more focus from senior party figures and a better understanding of how to maximise their gains from it. The result was that the boundary changes that should have helped the Conservatives were blunted.¹⁴

