

County Council

26 October 2016



Electoral Boundary Review – Initial proposals for new Parliamentary Constituencies in Durham

Report of Colette Longbottom, Head of Legal and Democratic Services

Councillor Simon Henig, Leader of the Council

Purpose of the Report

- 1 To inform Council of the initial proposals of the Boundary Commission for England for new Parliamentary constituency boundaries in England, and of the consultation procedure.

Background

- 2 The Boundary Commission for England (BCE) is an independent and impartial non-departmental public body which is responsible for reviewing Parliamentary constituency boundaries in England. The Commission is currently conducting a review on the basis of rules laid down in Parliament, which must be adhered to when considering boundary reviews. These rules involve a significant reduction in the number of constituencies in England (from 533 to 501), and requires that every constituency (apart from two specified exceptions) must have an electorate that is no fewer than 71,031 and no more than 78,507 in size – that is 5% either side of the electoral quota of 74,769.’ Legislation also states that when deciding on boundaries, the Commission may take into account:
 - a) ‘Special geographical considerations, including the size, shape and accessibility of a constituency;
 - b) Local government boundaries as they existed on 7 May 2015;
 - c) Boundaries of existing constituencies; and
 - d) Any local ties that would be broken by changes in constituencies.’
- 3 The first stage of the review has now been completed and the Commissions initial proposals for new Parliamentary constituency boundaries have been published. The proposals affecting County Durham are outlined in this report.

Initial proposals for Durham

- 4 The BCE’s initial proposal for the County of Durham will see six constituencies remain to be administered by the county, although each will have boundaries modified to a greater or lesser extent when compared to the current arrangements, with consequential re-naming as appropriate.

- 5 Only one constituency will be solely contained within the County. The other five will cross the county boundary taking in wards from either Gateshead, Sunderland or Hartlepool council areas.
- 6 The proposed West Durham & Teesdale constituency retains nine wards from the existing North West Durham constituency. Included in this constituency is also the ward of Barnard Castle West from the existing Bishop Auckland constituency, and two wards from the existing Blaydon constituency.

Ward/Division	Current Constituency	Electorate
Barnard Castle West	Bishop Auckland	6319
Benfieldside	North West Durham	6180
Burnopfield & Dipton	North West Durham	5962
Consett North	North West Durham	5761
Consett South	North West Durham	2886
Crook	North West Durham	8995
Delves Lane	North West Durham	6026
Lanchester	North West Durham	5871
Leadgate & Medomsley	North West Durham	6440
Weardale	North West Durham	6406
Chopwell & Rowlands Gill	Gateshead	6954
Winlaton & High Spen	Gateshead	6702
	West Durham & Teesdale Total	74502

- 7 The proposed Bishop Auckland constituency retains nine wards from the existing constituency. The commission propose to include the Ferryhill ward from the existing Sedgfield constituency, and Willington & Hunwick (inc Brancepeth) from the existing North West Durham & City of Durham constituencies.

Ward/Division	Current Constituency	Electorate
Barnard Castle East	Bishop Auckland	6492
Bishop Auckland Town	Bishop Auckland	5947
Coundon	Bishop Auckland	3010
Evenwood	Bishop Auckland	6231
Ferryhill	Sedgfield	8151
Shildon & Dene Valley	Bishop Auckland	9384
Spennymoor	Bishop Auckland	8444
Tudhoe	Bishop Auckland	6079
West Auckland	Bishop Auckland	6375
Willington & Hunwick	North West Durham (pt City of Durham)	6822
Woodhouse Close	Bishop Auckland	6032
	Bishop Auckland Total	72967

- 8 The proposed constituency of North Durham & Chester-le-Street retains all twelve wards from the existing constituency. To ensure that the constituency is within 5% of the electoral quota, the commission propose that the Lamesley ward from the existing Blaydon constituency, in the Borough of Gateshead, is included in it.

Ward/Division	Current Constituency	Electorate
Annfield Plain	North Durham	5670
Chester-le-Street East	North Durham	2919
Chester-le-Street North	North Durham	2999
Chester-le-Street South	North Durham	5937
Chester-le-Street West Central	North Durham	5825
Craghead & South Moor	North Durham	5177
Lumley	North Durham	5527
North Lodge	North Durham	2828
Pelton	North Durham	9889
Sacriston	North Durham	5357
Stanley	North Durham	6187
Tanfield	North Durham	6495
Lamesley	Gateshead	6963
	North Durham & Chester-le-Street Total	71773

- 9 The proposed City of Durham constituency retains eight wards from the existing constituency. The commission propose to include in this constituency the divided wards of Esh & Witton Gilbert, Deerness and the Tow Law ward from the existing North West Durham constituency. In order to have a pattern of constituencies that are within 5% of the electoral quota, the proposed constituency of City of Durham crosses the boundary of County Durham and the Borough of Sunderland to include the Hetton ward from the existing Sunderland constituency. BCE consider this as a suitable crossing as the communities of East and West Rainton are contained within this constituency.

Ward/Division	Current Constituency	Electorate
Belmont	City of Durham	10115
Brandon	City of Durham	7146
Deerness	City of Durham (pt North West Durham)	9018
Durham South	City of Durham	1619
Elvet & Gilesgate	City of Durham	4081
Esh & Witton Gilbert	North West Durham & City of Durham	6192
Framwellgate & Newton Hall	City of Durham	10175
Nevilles Cross	City of Durham	6502
Sherburn	City of Durham	6531
Tow Law	North West Durham	3233
Hetton	Sunderland	8632
	City of Durham Total	73244

- 10 The proposed East Durham constituency retains eight wards from the existing Sedgfield constituency. BCE consider this constituency should also include the divided Trimdon & Thornley, and Coxhoe wards from the existing constituency of City of Durham, and the Shotton & South Hetton ward from the existing constituency of Easington. In order to ensure that the East Durham constituency is within 5% of the electoral quota, the commission propose a crossing of the boundary of County Durham and the Borough of Hartlepool, so that it includes the Hart, and De Bruce, wards from the existing Hartlepool constituency.

Ward/Division	Current Constituency	Electorate
Aycliffe East	Sedgfield	6240
Aycliffe North & Middridge	Sedgfield	7790
Aycliffe West	Sedgfield	5403
Bishop Middleham & Cornforth	Sedgfield	2937
Blackhalls	Easington	6101
Chilton	Sedgfield	2970
Coxhoe	City of Durham	9280
Sedgfield	Sedgfield	6274
Shotton & South Hetton	Easington	6413
Trimdon & Thornley	Sedgfield	9411
Wingate	Sedgfield	2913
De Bruce	Hartlepool	5597
Hart	Hartlepool	6731
	East Durham Total	78060

- 11 The proposed Easington and Houghton constituency retains nine wards from the existing Easington constituency, which results in not dividing the Peterlee East, Peterlee West and Passfield wards in the south of the constituency. To ensure that this constituency is within 5% of the electoral quota, the commission propose to include in it three wards from the existing Houghton and Sunderland South constituency including the town of Houghton-le-Spring which has been reflected in the proposed name.

Ward/Division	Current Constituency	Electorate
Dawdon	Easington	5868
Deneside	Easington	5280
Easington	Easington	5559
Horden	Easington	5809
Murton	Easington	5820
Passfield	Easington	3539
Peterlee East	Easington	5484
Peterlee West	Easington	6119
Seaham	Easington	5270
Copt Hill	Sunderland	8767
Doxford	Sunderland	7563
Houghton	Sunderland	9016
	Easington & Houghton Total	74094

Consultation period

- 12 BCE has begun a 12 week consultation period on the initial proposals from 13 September 2016 to 5 December 2016. The Commission are encouraging everyone who wishes to comment on their proposals to do so through their consultation website. They also welcome representations in writing, or oral representations at one of a series of public hearings they are conducting. Two will be held in the North East during the consultation period. The first will be in Newcastle on Monday 14 November until Tuesday 15 November 2016, and the second will be held in Darlington from Thursday 17 November until Friday 18 November 2016. Anyone wishing to comment are welcome to both attend a hearing and submit comments through the website if they choose to do so. All representations, however made, will be given equal consideration by the Commission.
- 13 The Commission are particularly asking for two things. First, expressions of support for their proposals. And second, if objecting to their proposals, to put forward counter-proposals which are in accordance with the rules to which they are working.
- 14 Following the 12 week consultation period, the Commission will collate and publish all of the representations they receive for each region (including the transcripts of the public hearings) on their website. A hard copy will also be placed on display in at least one location within each of the proposed constituencies. The Commission will publish these representations for a further statutory period of four weeks (likely Spring 2017), during which time comments can be made to the Commission in relation to these representations. There will be no public hearings at this stage.
- 15 The Commissioners will then consider all the written and oral representations made during the initial consultation and the four-week secondary consultation period. They will then produce a report summarising and considering the representations, before recommending whether the initial proposals for a particular region should be revised and how this could be done. The Commission will then consider the report and decide whether any changes should be made to their initial proposals.
- 16 The Commission will then publish notices in each region stating whether or not changes have been made to the initial proposals for that area, and also any comments received during the four-week secondary consultation period. If any proposals are to be revised, a further eight week consultation period (likely toward end of 2017) will take place and any further comments should be made to the Commission. Again, there will be no public hearings at this stage.
- 17 At the final stage, the Commission will take into consideration any written representations received during the eight-week consultation period for the revised proposals and will decide whether any final modifications are needed in the light of those representations. Once the Commission has decided on the final recommendations for the whole of England, they will submit a formal report to the Government detailing their final recommendations, which will conclude the review process.

- 18 Constitution Working Group, at its meeting 11 October, 2016, gave initial consideration to a report of the BCE's initial proposals, when it was agreed to defer consideration of the proposals to a future meeting of the Group.
- 19 Group Leaders are to consult the members of their groups, and feedback comments to Constitution Working Group on 9 November, 2016. As comments of the BCE's initial proposals for new Parliamentary Constituencies are to be submitted by 5 December, 2016, this being before the next Council meeting on 7 December, 2016, Council will be asked to delegate authority to Head of Legal & Democratic Services having taken into account comments from Constitution Working Group.

Recommendations and reasons

- 20 That Council delegate to the Head of Legal & Democratic Services, the preparation and submission of a response in consultation with Constitution Working Group.

Background papers

The Boundary Commission for England – North East Initial proposals for Parliamentary boundaries.

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Appendix 1: Implications

Finance - None

Staffing - None

Risk - None

Equality and Diversity / Public Sector Equality Duty - None

Accommodation - None

Crime and Disorder - None

Human Rights - None

Consultation – Document is response to consultation

Procurement - None

Disability Issues - None

Legal Implications – Any proposals would need to meet the statutory requirements detailed in Appendix 2

Rules for redistribution of seats (Schedule 2 to the Act)

Number of constituencies

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

Electorate per constituency

2 (1) The electorate of any constituency shall be—

(a) no less than 95% of the United Kingdom electoral quota, and

(b) no more than 105% of that quota.

(2) This rule is subject to rules 4(2), 6(3) and 7.

(3) In this Schedule the “United Kingdom electoral quota” means—

$$\frac{U}{596}$$

where U is the electorate of the United Kingdom minus the electorate of the constituencies mentioned in rule 6.

Allocation of constituencies to parts of the United Kingdom

3 (1) Each constituency shall be wholly in one of the four parts of the United Kingdom (England, Wales, Scotland and Northern Ireland).

(2) The number of constituencies in each part of the United Kingdom shall be determined in accordance with the allocation method set out in rule 8.

Area of constituencies

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

(2) A constituency does not have to comply with rule 2(1)(a) if—

(a) it has an area of more than 12,000 square kilometres, and

(b) the Boundary Commission concerned are satisfied that it is not reasonably possible for the constituency to comply with that rule.

Factors

5 (1) A Boundary Commission may take into account, if and to such extent as they think fit—

- (a) special geographical considerations, including in particular the size, shape and accessibility of a constituency;
- (b) local government boundaries as they exist on the most recent ordinary council-election day before the review date;
- (c) boundaries of existing constituencies;
- (d) any local ties that would be broken by changes in constituencies;
- (e) the inconveniences attendant on such changes.^[12]

(2) The Boundary Commission for England may take into account, if and to such extent as they think fit, boundaries of the electoral regions specified in Schedule 1 to the European Parliamentary Elections Act 2002 (ignoring paragraph 2(2) of that Schedule and the references to Gibraltar) as it has effect on the most recent ordinary council-election day before the review date.

(3) This rule has effect subject to rules 2 and 4.

Protected constituencies

- 6
- (1) There shall be two constituencies in the Isle of Wight.
 - (2) There shall continue to be—
 - (a) a constituency named Orkney and Shetland, comprising the areas of the Orkney Islands Council and the Shetland Islands Council;
 - (b) a constituency named Na h-Eileanan an Iar, comprising the area of Comhairle nan Eilean Siar.
 - (3) Rule 2 does not apply to these constituencies.

Northern Ireland

- 7
- (1) In relation to Northern Ireland, sub-paragraph (2) below applies in place of rule 2 where—
 - (a) the difference between—
 - (i) the electorate of Northern Ireland, and
 - (ii) the United Kingdom electoral quota multiplied by the number of seats in Northern Ireland (determined under rule 8), exceeds one third of the United Kingdom electoral quota, and
 - (b) the Boundary Commission for Northern Ireland consider that having to apply rule 2 would unreasonably impair—
 - (i) their ability to take into account the factors set out in rule 5(1), or
 - (ii) their ability to comply with section 3(2) of this Act.
 - (2) The electorate of any constituency shall be—
 - (a) no less than whichever is the lesser of—

N-A

and 95% of the United Kingdom electoral quota, and

(b) no more than whichever is the greater of—

N+A

and 105% of the United Kingdom electoral quota,

where—

N is the electorate of Northern Ireland divided by the number of seats in Northern Ireland (determined under rule 8), and

A is 5% of the United Kingdom electoral quota.

The allocation method

8 (1) The allocation method referred to in rule 3(2) is as follows.

(2) The first constituency shall be allocated to the part of the United Kingdom with the greatest electorate.

(3) The second and subsequent constituencies shall be allocated in the same way, except that the electorate of a part of the United Kingdom to which one or more constituencies have already been allocated is to be divided by—

$2C + 1$

where C is the number of constituencies already allocated to that part.

(4) Where the figure given by sub-paragraph (3) above is the same for two or more parts of the United Kingdom, the part to which a constituency is to be allocated shall be the one with the smaller or smallest actual electorate.

(5) This rule does not apply to the constituencies mentioned in rule 6, and accordingly—

(a) the electorate of England shall be treated for the purpose of this rule as reduced by the electorate of the constituencies mentioned in rule 6(1);

(b) the electorate of Scotland shall be treated for the purposes of this rule as reduced by the electorate of the constituencies mentioned in rule 6(2).

Interpretation

9 (1) This rule has effect for the purposes of this Schedule.

(2) The “electorate” of the United Kingdom, or of a part of the United Kingdom or a constituency, is the total number of persons whose names appear on the relevant version of a register of parliamentary electors in respect of addresses in the United Kingdom, or in that part or that constituency. For this purpose the relevant version of a register is the version that

is required by virtue of subsection (1) of section 13 of the Representation of the People Act 1983 to be published no later than the review date, or would be so required but for—

(a) any power under that section to prescribe a later date, or

(b) subsection (1A) of that section.

(3) “Local government boundaries” are—

(a) in England, the boundaries of counties and their electoral divisions, districts and their wards, London boroughs and their wards and the City of London,

(b) in Wales, the boundaries of counties, county boroughs, electoral divisions, communities and community wards,

(c) in Scotland, the boundaries of local government areas and the electoral wards into which they are divided under section 1 of the Local Governance (Scotland) Act 2004, and

(d) in Northern Ireland, the boundaries of wards.

(4) “Ordinary council-election day” is—

(a) in relation to England and Wales, the ordinary day of election of councillors for local government areas;

(b) in relation to Scotland, the day on which the poll is held at ordinary elections of councillors for local government areas;

(c) in relation to Northern Ireland, the day of an election for any district council (other than an election to fill a casual vacancy).

(5) The “review date”, in relation to a report under section 3(1) of this Act that a Boundary Commission is required (by section 3(2)) to submit before a particular date, is two years and ten months before that date.

(6) “The United Kingdom electoral quota” has the meaning given by rule 2(3).

(7) A reference in rule 6 to an area is to the area as it existed on the coming into force of Part 2 of the Parliamentary Voting System and Constituencies Act 2011.