



**CORPORATE AFFAIRS COMMITTEE**

**19 October 2011**

**PARLIAMENTARY BOUNDARY REVIEW AND  
OTHER ELECTORAL SERVICES ISSUES**

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**PURPOSE OF REPORT**

1. To provide details of a consultation by the Boundary Commission for England on their proposals for changes to Parliamentary constituency boundaries for England and to draw attention to other on-going and future matters in relation to electoral services.

**BACKGROUND**

**Parliamentary Boundary Review**

2. The Parliamentary Voting System and Constituencies Act 2011 required that the four Boundary Commission conduct a review of the parliamentary constituencies in their areas. The Act requires that the current 650 constituencies in the UK be reduced to 600. The Boundary Commission for England is presently conducting a review of the boundaries for all parliamentary constituencies in England on the basis of new rules laid down by Parliament. The review aims to reduce the number of constituencies in England from 533 to 502 based on the nine regions used for European Parliamentary elections. Only 77 of the current constituencies have no changes to their boundaries. The proposals are designed to ensure that each constituency contains a similar number of registered electors and, with two exceptions, propose that each constituency will be based on an electorate of between 72,810 and 80,473.
3. All existing constituencies in the North East region will be affected by the changes. The region has been allocated 26 constituencies (3 less than at present). The changes that impact on Middlesbrough are as follows:-
  - New Redcar constituency will have take on areas from Middlesbrough
  - New Middlesbrough constituency will take on areas from Middlesbrough South and East Cleveland, and also Stockton South
  - New Middlesbrough South and Guisborough constituency will retain part of Middlesbrough South and East Cleveland, the remaining part being transferred to Redcar constituency.

- Existing Redcar constituency will be split between the new constituencies of Middlesbrough South and Guisborough and Redcar.

Existing Constituency	Electorate	Proposed Constituency	% Change
Middlesbrough BC	49,080	Middlesbrough BC	74.53%
	16,771	Redcar BC	25.47%
Middlesbrough South and East Cleveland CC	8,066	Middlesbrough CC	11.07%
	60,248	Middlesbrough South and Guisborough CC	82.67%
	4,562	Redcar BC	6.26%
Stockton South BC	17,624	Middlesbrough BC	23.65%

### Existing Constituencies

- Middlesbrough and Middlesbrough South and East Cleveland Constituencies, Wards and Districts

#### Middlesbrough (Administering Authority - Middlesbrough Council)

Middlehaven – AA, AB, AC  
 Ayresome – BA, BB, BC  
 Gresham – CA, CB, CC, CD  
 University – DA, DB  
 North Ormesby and Brambles Farm – EA, EB, EC, ED  
 Linthorpe – FA, FB, FC  
 Park – GA, GB, GC  
 Clairville – HA, HB, HC  
 Pallister – IA, IB, IC  
 Thorntree – JA, JB, JC  
 Acklam – KA, KB, KC  
 Beechwood – LA, LB, LC, LD  
 Beckfield – NA, NB, NC  
 Brookfield – OA, OB, OC  
 Kader – PA, PB, PC, PD

#### Middlesbrough South and East Cleveland (Part) (Administering Authority - Redcar and Cleveland)

Park End – MA, MB  
 Ladgate – QA, QB  
 Marton – RA, RB  
 Stainton and Thornton – SA, SB  
 Hemlington – TA, TB, TC, TD  
 Coulby Newham – UA, UB, UC, UD  
 Marton West – VA, VB, VC

Nunthorpe – WA, WB, WC

### **Proposed Constituencies**

5. The areas highlighted are the Middlesbrough and Stockton wards affected by the changes.

#### **Middlesbrough Constituency**

Acclaim; Ayres me; Beachwood; Brookfield; Carville; Gresham; Kader; Aldgate; Langhorne; Matron; Middle haven; Park; University; **Mandale and Victoria; Stainsby Hill; and Village.**

#### **Middlesbrough South and Guisborough Constituency**

**Coulby Newham; Hemlington; Marton West; Nunthorpe; Stainton and Thornton;** Brotton; Guisborough; Hutton; Lockwood; Loftus; Normanby; Ormesby; St Germain's; Saltburn; Skelton; and Westworth.

#### **Redcar Constituency**

**Beckfield; North Ormesby and Brambles Farm; Pallister; Park End; Thorntree;** Coatham; Dormanstown; Eston; Grangetown; Kirkleatham; Longbeck; Newcomen; South Bank; Teesville; West Dyke; and Zetland.

The 12 week consultation period on the initial proposals ends on 5 December 2011, during that time public hearings will be take place as follows:

- Newcastle City Council  
14 November 2011 from 10.00 a.m. to 8.00 p.m.  
15 November 2011 from 9.00 a.m. to 5.00 p.m.
- St George's Hotel, Durham Tees Valley Airport  
17 November 2011 from 11.00 a.m. to 8.00 p.m.  
18 November 2011 from 9.00 a.m. to 5.00 p.m.

6. Copies of the proposals together with a large A0 map and an A3 booklet have been received and are available for inspection at the Town Hall Reception and Middlesbrough Central Library. Summary copies of the initial proposals for the whole of the UK together with associated documents and maps are available on line from the Boundary Commission  
[www.independent.gov.uk/uk/boundarycommissionforengland](http://www.independent.gov.uk/uk/boundarycommissionforengland)

Consultation process:

- Initial consultation – 12 weeks  
Presentations and public hearings
- Secondary consultation – 12 week  
Publication of initial representations and transcripts from public hearings.

Further written representations on published representations.  
Preparation of reports for each region summarising representations and, in light of representations, make possible amendments to initial proposals.

- Final consultation – 8 weeks  
If revision made to initial proposals

Written representations may be submitted via the above website, by e-mail or by writing to the Boundary Commission. E-mail and postal addresses will be laid before Parliament in October 2013.

7. The following documents are appended to the report:

Appendix 1 - Copy of the consultation document  
Appendix 2 - Initial Proposals Summary – North East  
Appendix 3 - Initial Proposals – North East  
Appendix 4 - Annex: Initial Proposals for constituencies, including wards and electorates  
Appendix 5 - Maps  
Appendix 6 - Initial Proposals – Constituency Breakdown Tables  
Appendix 7 - North East Region – Proposed Constituency Electorate Table

Members are asked to consider the proposed changes and determine whether to submit comments in regard to the proposals.

## **OTHER ELECTORAL SERVICES ISSUES**

### **Police and Crime Commissioner Elections – Police Reform and Social Responsibility Act 2011**

8. The Police Reform and Social Responsibility Bill 2011 has now received Royal Assent. Inter alia, the Act provides for changes in the governance provisions for local police authorities which replace local police authorities with a Police Commission and a directly elected Police and Crime Commissioner (PCC). The Act requires that Police and Crime Commissioners will be elected on a simple majority vote, except where three or more candidate nominations are received, in which case the Act provides for the use of the supplementary vote system (as used for mayoral elections).
9. It was initially intended that the 41 elections for PCCs would take place at the same time as ordinary council elections (where applicable) in May 2012. This proposed date has now been changed and elections will be held on 15 November 2012. Subsequent elections will be held every fourth year.
10. The electoral franchise will be based on those eligible to vote at a local government election in an electoral area wholly or partly comprised in the police area. The electorates within the force area: for the Cleveland area this means: Hartlepool; Middlesbrough; Redcar and Cleveland and Stockton.

11. In order to be eligible to stand as an elected Police and Crime Commissioner candidate:

**will**

have attained the age of 18 when nominated as a candidate, and on each relevant day (day of nomination and day of the poll);

registered in the register of local government electors for an electoral area of an address in the police area;

satisfy the citizenship condition.

**must not be**

a police commissioner for another area or have been nominated as a candidate for election in another police area,

an MP,

a member of staff of the police area, other police areas or a police and crime commissioner,

a member or member of staff of the British Transport Police Authority, the Civil Nuclear Police Authority, the Independent Police Complaints Commission,

members of various other police bodies as set out in sections 65-67 of the Act,

a member of staff who is under the control of a policing body or other body or a chief officer of police.

a member of staff of a relevant council or holder of any employment in an entity under the control of a relevant council (except where the candidate is a teacher, or is otherwise employed, in a school or other educational institution maintained or assisted by a relevant council).

a person is disqualified if they are disqualified from being a member of the House of Commons, a judge, civil servant or a member of the armed forces.

12. Selection of the Police Area Returning Officers (PAROS) has been taking place over recent weeks and subject to formal notification, it is likely that the Returning Officer for Stockton-on-Tees Borough Council will take on the co-ordinating role for the Cleveland area. One PARO will also be appointed from each local government region to represent the region at regular planning meetings to be held nationally to develop and co-ordinate the 2012 polls.

13. The Cabinet Office, Electoral Commission, AEA and others are also working with the Home Office to develop secondary legislation and guidance on the running of the proposed elections.

### **The Fixed-Term Parliaments Act 2011**

14. This Bill also has now received Royal Assent. It provides that UK Parliamentary general elections are to take place every five years on the first Thursday in May with the next scheduled election occurring on 7th May 2015.
15. General elections will only to be held earlier than this if either two-thirds of all MPs vote in favour of dissolution or there has been a vote of no confidence in the Government and a Government has failed to gain the confidence of the House of Commons within 14 days.
16. The Act also provides for:
  - The automatic dissolution of Parliament 17 working days in advance of scheduled general elections;
  - The abolition of the Queen's prerogative power to dissolve Parliament;
  - Power for the date of the poll for a scheduled General Election to be moved by two months later the scheduled date of poll by the Prime Minister by affirmative Order approved by both Houses
  - The Act allows for a vote of no confidence in the Government to be passed with a simple majority. A successful vote will trigger a period of 14 days during which the Government is to secure the confidence of the House of Commons, if not the Prime Minister will recommend a day to the Queen for a general election to occur and Parliament will be dissolved 17 working days before the newly appointed polling day.

### **Law Commission Review**

17. The Law Commission has commenced a review of electoral law, which is scheduled to take approximately 5 years in total. The first part of the project is a scoping stage which will last until end 2012 and will include public consultation. Ministers have also asked officials to consider any lessons learned from the referendums and elections that took place during the spring of 2011.

### **Recall of MPs**

18. At the last general election all three of the main political parties in the House of Commons committed themselves to establishing a recall mechanism which would be triggered either where an MP had been found guilty of financial misconduct or a serious wrongdoing. The coalition Government intends to bring forward early legislation to introduce a power of recall, allowing voters to force a by-election subject to receiving a petition signed by 10% of the MP's constituents. The Cabinet Office is working on proposals and is in early consultation with interested groups.

### **Draft House of Lords Reform Bill**

19. On 17 May, the Government published comprehensive proposals for a smaller, reformed House of Lords, which is wholly or mainly elected. The proposals, contained in the draft House of Lords Reform Bill and accompanying White Paper, set out in detail options for how a reformed House could look. The proposals include:
- a reformed House with 300 members, each eligible for a single term of three parliaments;
  - elections using the Single Transferable Vote (STV),
  - electing a third of all elected members at each election,
  - elections which would normally take place on the same day as Parliamentary General Elections;
  - multi-member electoral districts, to be drawn up by an independent group of expert academics, based on national and county boundaries;
20. The draft Bill proposes a membership that would be 80% elected and 20% appointed, although the White Paper leaves open the possibility of a 100% elected House, if consensus formed around that option during the pre-legislative scrutiny period.
21. The White Paper also acknowledges that, as well as the Single Transferable Vote (STV), a list-based electoral system would fulfil the Coalition Agreement commitment to a proportional electoral system, and is open to views on whether such a system should be used instead of STV. It is intended that the first elections take place in 2015.
22. The White Paper and draft Bill is subject to pre-legislative scrutiny by a Joint Committee of both Houses of Parliament reporting in early 2012. The Joint Committee will report early next year.

### **Individual Electoral Registration (IER)**

23. Work on Individual Electoral Registration (IER) is on-going. A Government White Paper was published in June. Draft legislation outlining how the Government intends to implement IER is also out for consultation and the deadline for responses to this consultation is 14 October 2011. The documents may be viewed online at: <http://www.cabinetoffice.gov.uk/resource-library/individual-electoral-registration-draft-bill>.
24. The Political Parties and Elections Act (2009) proposed the phased introduction of IER which included a voluntary registration period. The Coalition Agreement in 2010 agreed changes to the proposal to bring forward implementation. The Bill was submitted in January 2011 for parliamentary scrutiny and it was anticipated that Royal Assent would be received in December 2012. It was hoped that Secondary legislation would be completed and introduced by mid 2013. The first registrations under the new arrangements will take place 2014 when the annual canvass will be conducted in a different way although special transitional arrangements will be made to ensure that voters are not disenfranchised at the May 2015 Parliamentary elections. From 2015 all electors will be required to register under IER.



25. The key drivers for the changes are to:
- tackle electoral fraud and improve the integrity of the electoral register
  - take steps to improve the completeness and accuracy of the register
  - improve efficiency in the delivery of electoral registration
  - improve public satisfaction in electoral registration
26. Electors will be required to provide evidence in order to register. This is likely to be a national insurance number (NINO) and date of birth (DOB) but other means of identification may also be permitted. A signature will **not** be required.
- electors will be able to utilise alternative channels for submission of applications and electoral registration staff will be able to use other avenues to:
  - confirm that the applicant is eligible to register,
  - that each person making an application is the person who is subject of the application,
  - that an applicant's address is genuine, through for example confirmation via the Local Land and Property Gazetteer (LLPG), and
  - that there is evidence of a connection between the individual and the address to determine residence.
27. During the 2014 canvass to be conducted between July and November, registered electors will receive a personally addressed application, including an insert to identify additional occupants; empty properties and households, where there is doubt that a resident still lives there, will be sent a new form – the Household Enquiry Form. Those who fail to respond but are still deemed to be eligible will be carried forward on the register to ensure that they are able to participate in the 2015 Parliamentary General Election. Special category electors, e.g. Service Voters, will be invited to register through IER at the time they are requested to renew their declaration. Electors must however be registered under IER in order to cast a postal vote or vote as a nominated proxy.
28. New registers will be published by 1 December 2014. In 2015 and future years the annual canvass will request data be provided on all persons resident in every household and a Household Enquiry Form will be supplied to all properties.
29. Following the canvass the register will consist only of electors who have made individual applications under IER. The legislation will contain a provision for future canvasses to either be amended to provide limited canvassing or alternative canvassing methods or to abolish the canvass.
30. Individual registration will be a matter of personal choice. However, the current penalty for those who fail to respond to a household canvass will remain in place. Individuals who choose not to respond to a request from an Assessor will not have committed an offence but a new offence relating to the disclosure of any information provided for verification will be introduced.

### **Data Matching**

31. As part of the move to IER, the Government is also committed to taking steps to improve the completeness of the register. In June 2011, a series of data matching pilots were launched in 20 local authorities around the country. The pilots will operate between June and December to test how far comparing electoral registers against other public databases will allow eligible people missing from the register to be identified and to ask people if they would like to register.
32. The public authorities against which the register entries would be matched include the Department for Work and Pensions, Department of Transport, Department for Education, HM Revenue and Customs, Department of Business, Innovation and Skills and the Ministry of Defence. The results of the pilot exercises will be used to determine whether to roll out data matching on a wider basis.

### **The Co-ordinated Online Record of Electors (CORE)**

33. The CORE Project to be managed by a new public body, which was intended to provide a single source of electoral registration information for registered users, ran for several years until 2009. The Government then decided to hold off further development in order to fully consider how the project might fit with plans for the introduction of individual electoral registration (IER).
34. A written ministerial statement laid in Parliament on 18 July announced that the Government had decided not to pursue the CORE project on the grounds that it was not felt to be cost effective or consistent with the Government's policy on databases: in reducing the number of non-departmental public bodies and that they intend to consider more cost effective ways to improve the processes and procedures for political parties to report donations.
35. Notwithstanding the Minister's decision in relation to the CORE, Electoral Registration Officers will need to continue to maintain the Electoral Registration Data Standards. Maintaining the link between the electoral register with the Local Land & Property Gazetteer is still required in order to maintain security of the register and to provide the necessary assurance that an address is connected to a genuine physical location.

### **Postal Vote Refresh**

36. Under the Representation of the People (England and Wales) Regulations 2001, Electoral Registration Officers must, by 31 January, send every absent voter and whose signature held on the personal identifiers record is more than five years old a notice requiring them to provide a fresh signature if they wish to remain an absent voter. The notice must also inform them of the date on which they would cease to be entitled to vote by post or by proxy in the event of a failure or refusal to provide a fresh signature. This applies to postal voters, electors who have appointed a proxy and postal proxies. In this first year 2012 this will affect just over 2000 electors.
37. Following the initial exercise, remaining absent voter details will be refreshed as they reach the end of their 5th year or if an absent voter has submitted a new signature to replace an existing signature at any point, the next refresh will be 5 years from the date of that signature.

38. Procedures will be in place to deal with absent voter details who do not return their forms or who do not provide the correct information on the form. If an elector is to be removed from the list of absent voters they will also be notified of that removal and be given an opportunity to re-apply.
39. The Electoral Services team will be required to design, print and distribute the relevant notices. As the elections for Police and Crime Commissioners have now been deferred until November 2012, it is likely that current staffing will be sufficient to carry out this function. A public awareness strategy will be considered in order to alert electors.
40. Collection of the date of birth is not part of the refresh process as set out in legislation and existing absent voters will not be required to provide their date of birth again in order for their absent vote to continue. However, if the ERO decides that a space for the date of birth will be provided in the notice requesting a new signature, it will be made clear that a failure to re-submit their date of birth will not affect their absent voting arrangements.
41. An explanatory note will be enclosed to explain
  - how the required personal identifiers are used and how the personal identifiers assist in deterring misuse of the entitlement to vote
  - that failure or refusal to provide a new signature will result in the cancellation of their absent vote
  - the details of the absent vote currently in place for that elector and the types of elections the absent voter would cease to be entitled to an absent vote at should they fail to provide the required signature
  - that cancellation of the absent vote for failure or refusal to supply a new sample signature does not prevent the elector re-applying for an absent vote at a later date
  - the circumstances in which the signature requirement may be waived
  - the deadline for the elector to provide their signature
42. Where a postal proxy is removed from the record and list of proxies, the elector will be advised that while the proxy appointment remains in place, the proxy may only vote at a polling station. Proxy and postal proxies will also be advised that the appointment has been cancelled.

### **Electoral Administration**

43. Alongside work to accelerate implementation of Individual Electoral Administration, the Government has now published draft legislation on three electoral administration provisions for pre-legislative scrutiny by Parliament (the Political and

Constitutional Reform Committee will consider the proposals). In summary, the draft provisions:

- extend the UK Parliamentary election timetable from 17 to 25 days, in order to improve access for voters by facilitating the postal vote process, particularly for overseas and service voters, and to ease pressure on administrators running elections;
- make changes to the timing of polling places and district reviews in Great Britain to bring them into line with the proposals to set Parliamentary terms to 5 year periods, and the five year cycle for UK Parliamentary boundary reviews implemented by the Parliamentary Voting System and Constituencies Act 2011. Under the draft provisions, a local authority must carry out and complete a review of all the polling places and districts for UK Parliamentary elections in its area within the period of 16 months beginning from 1<sup>st</sup> October 2013, and the period of 16 months beginning with 1<sup>st</sup> October of every fifth year after that;
- address the legislative lacuna that presently prevents jointly-nominated candidates using party emblems on the ballot paper at UK Parliamentary elections.

### **Referendum Questions**

44. The Government has recently consulted with the Electoral Commission on a set of proposed questions to be asked at referendums in England on how local authorities are run. The Commission has published guidelines for writing intelligible referendum questions which set out the criteria to be used to assess whether voters are likely to be able to understand them. They are gathering evidence as to how well the Government's proposed questions meet those guidelines and, based upon that evidence, the Commission will advise Government whether they need to change. Details of the specific questions are appended to this report (Appendix 8).
45. The Local Government Act 2000, made way for Middlesbrough to hold a referendum and elections in order to operate under an elected mayoral system. If any local authority currently operating under executive arrangements wishes to change its political system of governance it will need to hold a referendum. Changes to the 2000 Act have reduced the number of executive arrangement options available to electors by deleting the option of a mayor and council manager. The remaining options are: directly elected mayor; mayor and cabinet, and leader (elected by councillors) and cabinet. A push to introduce elected mayors in larger major cities in the UK is also being pursued.
46. In order hold a referendum for change a public petition would need to be raised. Each authority has a defined limit for the number of signatures required which equates to 5% of the number of local government electors on the electoral register. In Middlesbrough the present validation threshold number is 4991 electors.

47. Although not necessarily applicable to Middlesbrough, guidance and further details for potential mayoral referendums in 2012 will be made available in due course.
48. Members may wish to consider whether to respond to the Referendum Question consultation.

### **Localism Bill 2011**

49. Alongside the referendum proposals above, the Localism Bill 2011 presently making its way through the legislative process proposes ways in which local referendums could also be held on local issues e.g.
  - veto on excessive council tax;
  - a community organisation formed by members of the local community will be able to bring forward development proposals which, providing they meet the minimum criteria and can demonstrate local support through a referendum, will be able to go ahead without requiring a separate traditional planning application.
  - 5% of electors or 50% plus of members for an area.
50. The AEA and Electoral Commission have been briefing Parliament during the passage of legislation, setting out their views on key issues for the delivery of the proposed new elections and referendums. One of the clear messages being put to Parliament is that the referendum rules must be in place at least six months in advance to allow appropriate preparation, and that any Order from the Secretary of State directing authorities to hold referendums in May 2012 should be made at the latest by November 2011.

### **Performance Standards for Returning Officers and Electoral Registration Officers**

51. The Electoral Commission has begun consultation with Returning Officers (ROs) and others setting out proposals to revise the performance standards framework for Returning Officers.
52. ROs have been required to complete performance standards since 2009 and, in developing the framework it is intended draw upon the lessons learnt from experiences in delivering the 2011 Welsh and UK wide referendums. In future greater focus will be placed on those processes which are predictors of well-conducted elections and performance will be monitored in real-time rather than require ROs to report on performance against the standards following the relevant poll. It is expected that the new standards will be laid before Parliament in December, in time for ROs to incorporate them into planning and report against them at any 2012 electoral events. The consultation deadline is 14 October 2011 (Appendix 9).
53. In addition to the above, the EC has issued directions for Electoral Registration Officers to report on their performance for 2011. A self-assessment questionnaire is

to be completed and, as in 2010, live verification of the standards will be required during the current canvass period. Financial data in relation to the costs of delivering electoral administration functions for the 2010/11 financial year have also been requested. A report following the submission of similar information in 2009/2010 will be published sometime in September.

## **RECOMMENDATIONS**

1. Members are asked to note the proposed boundary changes and indicate, what if any, views they wish submit as part of the consultation.
2. That Members note the current issues in relation to electoral services functions and determine whether they wish to respond to the following consultations:
  - Referendum Questions
  - Returning Officer Performance Standards

## **BACKGROUND PAPERS**

EC18-2011 – Absent Vote Identifier Refresh.

EC19-2011 – Performance Standards for Returning Officers in Great Britain.

EC20-2011 – Direction to Report under Section 9B (1) Political Parties Elections and Referendums Act 2000 – Performance Standards for Electoral Returning Officers in Great Britain and Financial Information Survey 2010/2011.

Local Authorities (Referendum) (Petitions & Directions) Regulations 2000 (as amended)  
Electoral Commission Electoral Alert 161 and 162 – Recruitment of APARO Designate  
Home Office Letter – 20 July 2011.

Cabinet Office and Electoral Commission Updates for AEA Branch Meetings  
Localism Bill 2011

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