



HOUSE OF LORDS

# Library Note

## **Parliamentary Voting System and Constituencies Bill (HL Bill 26 of 2010–11)**

This short Library Note provides information regarding the Parliamentary Voting System and Constituencies Bill which is due for Second Reading in the House of Lords on 15 November 2010. The Note is intended to be read in conjunction with the House of Commons Library Research Paper *The Parliamentary Voting System and Constituencies Bill [Bill 63 of 2010–11]* (1 September 2010, [RP 10/55](#)) and House of Commons Library Standard Note *Parliamentary Voting System and Constituencies Bill 2010–11: Progress of the Bill* (27 October 2010, [SN/PC/05697](#)), which provide background information and summarise proceedings in the Commons at Second Reading and Committee Stage. This Note summarises proceedings at the Bill's final stages in the Commons.

Matthew Purvis  
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## 1. Introduction

The Parliamentary Voting System and Constituencies Bill (HL Bill 26 of session 2010–11) contains a number of provisions with regard to parliamentary elections. The main provisions in the Bill as introduced in the House of Lords are:

Part 1 of the Bill provides for a referendum to be held, on 5 May 2011, on whether to change the voting system for UK parliamentary elections. The Bill prescribes the question that will be asked in that referendum as follows: ‘At present, the UK uses the “first past the post system” to elect MPs to the House of Commons. Should the “alternative vote” system be used instead?’ The Bill makes provision for the franchise for the referendum, the referendum period (during which controls on spending and donations by campaigners will apply and the official “yes” and “no” campaigns are designated by the Electoral Commission), the conduct of the poll, including absent voting, the combination of the poll in the referendum with other polls taking place on the same day and how legal challenges to the result of the referendum may be brought. The Bill also includes provisions which make the amendments to the existing electoral legislation that it would be necessary to make to implement the alternative vote system in the event of a “yes” vote in the referendum.

Part 2 of the Bill provides that the number of parliamentary constituencies in the UK will be reduced to 600. It requires the Boundary Commissions to recommend constituency boundaries that ensure that the electorate of each constituency is no more than 5 per cent more or less than the electoral quota for the UK. Factors are set out which the Commissions may have regard to when recommending constituency boundaries, subject to the parity principle. There will be two preserved constituencies, a limit on the geographical size of constituencies, and a method for resolving any complexities that may be caused by rounding issues in Northern Ireland. Part 2 also sets out a timetable for the four Boundary Commissions to carry out their reviews of constituencies, and the consultation process for the Commissions’ recommendations. The next general reviews are to be completed by the end of September 2013 and subsequent reviews will take place every five years.

(Parliamentary Voting System and Constituencies Bill Explanatory Notes, [HL Bill 26-EN](#))

The Bill was read for the first time in the House of Lords on 3 November 2010; it is due for Second Reading on 15 November 2010. The House of Commons Library has produced two papers covering the background to the Bill and its passage through the Commons up to Committee Stage: *The Parliamentary Voting System and Constituencies Bill [Bill 63 of 2010–11]* (1 September 2010, [RP 10/55](#)) and *Parliamentary Voting System and Constituencies Bill 2010–11: Progress of the Bill* (27 October 2010, [SN/PC/05697](#)). Two further House of Commons Library Standard Notes provide additional detail about two specific aspects of the Bill: *The Rules for the Redistribution of Seats—History and Reform* (28 July 2010, [SN/PC/05628](#)) and *Reducing the Size of the House of Commons* (28 July 2010, [SN/PC/05570](#)).

During two days of Report Stage, a number of amendments were debated in the House of Commons. There were several divisions and a number were agreed. The Bill was then passed at Third Reading. This Note therefore provides details of the debates on the Bill during Report and Third Reading in the House of Commons. These are described in the sections below.

## 2. Commons Report Stage

### 2.1 Programme Motion

Prior to the start of Report Stage on 1 November 2010, Mark Harper, Parliamentary Secretary at the Cabinet Office, moved a motion to set the parameters of the discussions and the amount of time available for the Report Stage. In moving the motion Mr Harper described how Report Stage would proceed:

The motion provides that today's debate will be on clauses 11 to 13, which relate to the boundary proposals, with a knife after clause 11 to ensure that we do get on to discussing local inquiries and the decoupling clause for the Welsh Assembly. Tomorrow's debate will focus on the rules for combined polls and the issue of referendum thresholds. Third Reading will provide a further opportunity for Members to scrutinise and express their views on the Bill, as amended.

(HC *Hansard*, [1 November 2010](#), col 647)

Mr Harper added that some of the time available for debate had been taken up by a statement by the Home Secretary about national security threats. Chris Bryant, for the Opposition, outlined his party's disapproval of the programme motion. He said that "allowing this amount of time today and tomorrow is inappropriate; we believe that it is inappropriate not to allow any specific time for votes, because it is the right of this House not only to debate but to vote on such matters". With regard to the programme for the following day he added:

We believe that it is inappropriate in particular to have so little time tomorrow, when we will be dealing with 28 pages of Government amendments, not a single one of which is the result of discussions in Committee; and we think that it is inappropriate for no further time to be allowed today, particularly as we have had two, albeit important, statements.

(*ibid*, col 648)

The motion was agreed to on division 320 votes to 241.

### 2.2 Number and Distribution of Seats

Discussion on the Bill opened with Chris Bryant moving amendment 9. This was debated with a number of similar amendments. Introducing his amendment, Mr Bryant explained that the Bill requires, with few exceptions, the size of the electorate in each seat to be within 5 per cent either side of the national average. However, he argued that "there are more instances than are allowed for in the Bill where the Boundary Commission should be allowed to exercise a degree of discretion, because this country is made up not just of statistics on a map but of living communities with distinct historical, cultural and political identities that need their discrete representation in the House" (*ibid*, col 657). He added that he had concerns that redrawing boundaries to conform to this requirement would lead to confusion among voters. One such example was that in many cases it would be impossible to respect county boundaries:

At the last election, Cumbria would have had to find 14,296 electors from neighbouring counties in order to make up its six seats. Northumberland would have had to find 22,529 electors for four seats. Warwickshire's six seats,

Kenilworth and Southam, North Warwickshire, Nuneaton, Rugby, Stratford on Avon, Warwick and Leamington, would have needed to find 7,991 electors.

(*ibid*, col 657)

He said that his amendment would allow the Boundary Commission a “wider degree of latitude” of up to 10 per cent either way. Referring to his other amendments he added that amendment 13 would make provision for a whole number of seats for Cornwall, the Scilly Isles, for Anglesey and for the Isle of Wight. Amendment 11 stated that local wards could not be split between constituencies (*ibid*, col 660).

Charles Kennedy (Liberal Democrat) spoke to a number of amendments he had tabled. In referring to his own experiences representing Ross, Skye and Lochaber, he argued that the Government’s proposals were too inflexible. He said amendments 182 to 184 would allow more flexibility by making special provision for more areas than were covered by the Bill (*ibid*, cols 661–5).

The former Welsh Secretary, Paul Murphy (Labour) suggested the boundary changes would have a negative impact on Welsh representation at Westminster. Mr Murphy argued that the 1997 Devolution Settlement meant “we should have not only an Assembly, but proper representation of Members of Parliament from Wales. We certainly should not have less representation than we had in 1832, when it was established that there would be 35 Members” (*ibid*, col 665). Applying this to the other devolved parts of the UK, Mr Murphy added that the Bill could “threaten the very integrity of the Union” (*ibid*, col 667).

John Thurso (Liberal Democrat) spoke in favour of Mr Kennedy’s amendments. He said he recognised the tension between the principle of equalisation of constituency size and geographical considerations. He noted that the Bill already accepted the geographical problems inherent in some seats but wanted the Bill amended further in this direction (*ibid*, cols 672–3).

Mark Durkan (SDLP) spoke to a number of amendments he had tabled with regard to Northern Ireland. Mr Durkan said that amendments 188, 193, 189 and 192 would allow Northern Ireland to have a discrete number of seats to avoid, under the Sainte-Lague distribution system, “chopping and changing the number of seats in Northern Ireland every five years without any regard to either a sense of equality or a quota that relates to Northern Ireland’s particular circumstances” (*ibid*, col 674). He added that amendments 188 and 193 would ensure that the Boundary Commission for Northern Ireland respects that constituencies in Northern Ireland are also constituencies for the Northern Ireland Assembly. Mr Durkan said he feared that altering the boundaries agreed in the Northern Ireland Act 1998 could result in “geo-sectarian issues” (*ibid*, col 675).

Andrew George (Liberal Democrat) drew attention to his own amendments, 196 and 4. These would allow the Boundary Commission some discretion in Cornwall and other places and also maintain the integrity of the boundaries of Cornwall. Mr George said:

When people wake up to the full reality of the way the boundaries are to be divided, they will understand that it will result in the effective pasteurisation of parliamentary constituencies. They will be homogenised and we will see the denigration of place, the denigration of identity and the promotion of placelessness and bland uniformity. The Boundary Commission should be given the discretion to recognise identity, culture, tradition, history, geography and so forth, so that places with strong identities, historic communities, historic counties

and, indeed, historic boroughs do not find themselves divided up for the satisfaction of the Government's need for so-called statistical equalisation.

(*ibid*, col 680)

Andrew Turner (Conservative) questioned the consistency of the Government's proposals. He said that Nick Clegg, the Deputy Prime Minister, had failed to satisfactorily explain to him why his constituency, the Isle of Wight, was not exempted from the equalisation like some Scottish Island seats (*ibid*, col 682).

The Government's perspective on this group of amendments was given by David Heath, the Deputy Leader of the House. With regard to those who sought exemptions for additional areas, Mr Heath pointed out that the Isle of Wight had recently sought Government permission to create a Solent local enterprise partnership with south Hampshire. This cross-Solent project showed willingness on behalf of the Isle of Wight to engage with Hampshire (*ibid*, col 685). He also said he could not see how "Cornwall will be any the less 'Cornwall' if it is represented by a Member who also represents part of Devon" (*ibid*, col 686). Similarly, he argued that he could not see how Wales was being treated badly by being treated equally (*ibid*, cols 686–7).

Labour amendments 9 and 11 were divided upon. These were both defeated: 326 votes to 245 and 327 votes to 243. Charles Kennedy's amendment 183 was also defeated on division 315 votes to 257. Two Government amendments (220 and 221) were agreed to without division.

### **2.3 Boundary Commission Proposals: Publicity and Consultation**

After these divisions the debate moved on to the functions of the Boundary Commission. Eleanor Laing, a Member of the House of Commons Political and Constitutional Reform Select Committee, moved amendment 205. This was discussed with a number of similar amendments. Introducing her amendment Mrs Laing said:

The purpose of amendments 205 and 206 is to ensure that consultation by the boundary commissions is as meaningful as possible. Amendment 205 would require them to hold a one-off, short consultation on how they intended to approach the division of England, Scotland, Wales and Northern Ireland into constituencies before the first review—the 2011 to 2013 review—took place. It would allow people to give their views on the extent to which, for example, county boundaries should be crossed and which ward sub-division might be desirable and, where wards are sub-divided, on the kinds of sub-division to be used...

Amendment 206 is intended to improve the quality of the consultations that the boundary commissions conduct under each proposed future review... The amendment would allow people to make representations to the commissions on constituencies other than the one in which they live, and it would require information on the number of electors within sub-ward divisions of constituencies to be made available nationwide.

(*ibid*, cols 702–3)

Sadiq Khan spoke to Opposition amendment 15, which would allow public inquiries into boundary changes. He argued that the Bill's provisions to abolish public inquiries were due to a "politically driven desire to rush the completion of the boundary review through by October 2013". He added that this was symptomatic of a Bill where "the limits on disparities between seats are too severe and inflexible, the time scale for the boundary

review is far too tight, and the abolition of local inquiries in return for an extended window for written submissions is deplorable” (*ibid*, cols 707–8). He then gave a number of examples where local inquiries produced results contrary to the Boundary Commission’s recommendations:

In Derbyshire and Derby, the Commission made provisional recommendations for the creation of a new seat, but they were rejected in favour of another that the Assistant Commissioner believed better reflected community ties. The amended proposals moved fewer electors and reduced the disparity. In Devon, Plymouth and Torbay, the Commission proposed a division of the city of Exeter that was deeply unpopular with residents. The Assistant Commissioner believed that the counter-proposal better reflected local ties and reduced the electoral disparity.

(*ibid*, col 711)

Mr Khan said that local inquiries would be even more necessary now the number of constituencies would be reduced and their size equalised. He added that if the Bill were left unamended it would “remove the opportunity for the public to have a meaningful say over the reform process” (*ibid*, col 716).

Mark Durkan (SDLP) supported the Labour amendment but proposed his own, more narrowly focused amendments. He said amendments 194 and 195 were a “fall-back” to protect Northern Ireland’s special circumstances:

It needs to be borne in mind that the parliamentary constituencies are, by statute, also the constituencies for the Northern Ireland Assembly. Many of the issues that will come up as matters of local contention and perhaps even party political controversy will pertain as much to the Assembly constituencies as to other constituencies. Of course, the Northern Ireland Assembly is elected on the basis of proportional representation, which is meant to be about giving equal weight to votes, including those of minorities in particular Northern Ireland constituencies. That is part of the agreement. We want to ensure that, rather than decisions in Northern Ireland being driven by robotic computer-generated arithmetic suggesting boundaries that will secure the numbers that fit, a local regional inquiry can take account of the different interests—not just party interests, but civic and local community interests.

(*ibid*, col 718)

David Heath, responding for the Government, praised Mrs Laing and her colleagues on the Political and Constitutional Reform Select Committee but took issue with her amendments. Mr Heath said they would add an extra stage to the consultation process the Boundary Commissions are required to carry out:

An increase in consultation time of eight weeks could delay the reports, making it harder to prepare for the next general election. In effect, the time added to the process by the amendment would be much greater, as the Commissions would have to publicise their proposed approach and assess the representations received before taking the many and complex individual decisions required to put together their recommendations. The Government believe that the right place to debate the approach that the Boundary Commissions must take is in Parliament.

(*ibid*, cols 727–8)

Mr Heath argued that the proposals in amendment 206 already reflected the practice the Boundary Commissions were likely to take, noting they already made extensive use of the internet to publicise reviews. Mr Heath added that representations from parties outside affected constituencies were already allowed (*ibid*).

Mr Heath then offered an explanation as to why the Government opposed Sadiq Khan's amendment. He agreed that it was important that local people have a say in boundary reviews but gave three reasons why the Government believed local inquiries failed to meet that objective. Firstly, he said, boundary reviews were often based on out-of-date electoral register data. Secondly, he argued that local inquiries fail to provide Boundary Commissions with the required information, largely because of the dominant role played by political parties. Finally, Mr Heath said that local inquiries fail to result in any significant change, citing the fact that in the last review only 2 per cent of wards in counties where inquiries were held resulted in moves between constituencies (*ibid*, cols 729–30). He concluded by stating the benefits of the Bill:

The improved process in the Bill will deliver faster reviews. Time-consuming public inquiries that do not bring new arguments to the table and which are dominated by parties attempting to advance their electoral interests are not beneficial in Northern Ireland or anywhere in the UK.

(*ibid*, col 731)

Mrs Laing withdrew amendment 205. The House divided on amendment 15, which was defeated 336 votes to 244. Government amendments 218 and 219 were agreed to without division.

## **2.4 Combination of Polls**

Debate on the second day of Report Stage turned to the provisions on the AV referendum, with the introduction of a series of Government amendments with regard to combined polls, which updated the Bill to reflect a number of Orders laid before the House of Commons on 25 October 2010. Mark Harper, for the Government, said:

The purpose of the amendments is to ensure that the combination rules in the Bill work effectively with the rules governing elections to the Scottish Parliament and the Northern Ireland Assembly, and local elections in Northern Ireland, in the event that the draft orders are approved by Parliament, as the Government hope. No amendments have been necessary in relation to the combination provisions for Wales. Although the rules governing elections to the National Assembly for Wales will be updated by the National Assembly for Wales (Representation of the People) (Amendment) Order 2010, if approved by Parliament, none of the amendments to be made by this order affects any rules relevant to combination with the referendum. This order was also laid in draft before Parliament on 25 October.

(*HC Hansard*, [2 November 2010](#), col 795)

Mr Harper confirmed the majority of the amendments were technical and consequential, a result of the Scottish Parliament (Elections etc) Order 2010; the Northern Ireland Assembly (Elections) (Amendment) Order 2010; and the Local Elections (Northern Ireland) Order 2010. The exceptions were amendments 172, 177 and 178 which set out

the details of joint issue and receipt of postal ballots in Northern Ireland. Mr Harper explained:

The Chief Electoral Officer, with the agreement of the Chief Counting Officer, will be able to decide to take postal ballot proceedings together in the three polls taking place in Northern Ireland. These amendments make the necessary provision for that process to work. If the Chief Electoral Officer decides to deal separately with postal ballot paper proceedings in the three polls, the existing legislation, as amended by the two Northern Ireland Orders, will apply, largely unaffected by the Bill.

*(ibid, col 796)*

A number of contributions focussed on the volume of amendments moved. Chris Bryant, for the Opposition, said the amendments totalled 28 pages and this was because the “Government have gone through a process of putting various carts and horses in the wrong order”. He argued that it made more sense to wait until the Orders were approved by both Houses, rather than amending the Bill before *(ibid, col 800)*. He went on to criticise the Government’s approach to the Bill and the implications it had on scrutiny of the Bill:

What is also wrong is that because the Government have tabled 28 pages of amendments that we have to debate on Report, they have had to set aside a chunk of time for us to do so. That has been done not because the House wanted it, or to bring about greater consensus on the Bill, but to meet the Government’s own business needs, and as a result of their own haste. The fact that we have not had a single moment’s debate about the decoupling of seats in the Welsh Assembly and their coterminosity with Westminster seats is a disgrace. If, as we had requested, a knife had not been put in yesterday night’s proceedings, it would have been possible for us to have debated that matter now, rather than the measures that we have to debate at this point.

*(ibid, col 802)*

The impact of combining polls on the elections in Northern Ireland, Scotland and Wales was a concern of several contributors. Angus McNeil (SNP) spoke to amendment 222. This, he said, was a protest against the combining of polls with the AV referendum. He argued that the Government had not consulted on combining the devolved elections with the referendum and feared that by doing so “important issues that matter to the people of Scotland, Wales and Northern Ireland will have to play second fiddle in a one-dimensional media” *(ibid, col 805)*.

Wayne David and Geraint Davies (both Labour) pointed to the confusion that could result from a combination of polls, both administratively and for voters. Mr Davies said that the “media noise from the UK” could spill into space for rational discussion about local issues *(ibid, cols 812–14)*. In response Louise Bagshawe (Conservative) suggested that Welsh voters were just as able as American voters in engaging in multiple elections *(ibid, col 814)*. On the administrative side, Mark Durkan (SDLP) questioned why postal ballots for all three elections in Northern Ireland would need to be returned if only one was spoilt.

Responding for the Government, Mark Harper made a number of points. Mr Harper answered criticism of the number of amendments by pointing out their technical necessity, for example replacing the dates 2007 with 2010. With regard to Chris Bryant’s argument about pre-empting parliamentary approval of the Orders, Mr Harper said that if

the Orders were rejected the Government would revert back to the Bill's original provisions. He confirmed that if this were to happen amendments would be tabled in the House of Lords. This would ensure the Bill would return to the House of Commons for it to give final approval to the measures.

In answer to Angus McNeil's "protest" amendment Mr Harper stated that the Government would have discussions with the parties in the devolved nations about future combined polls. However, he did not believe combining the referendum with devolved elections would have the negative impact suggested (*ibid*, col 825). With regard to returning spoilt postal ballots in Northern Ireland, Mr Harper said that this was because "someone could end up with multiple ballot papers for the same election, if the first set were not returned. That is also the long-standing practice in England, Wales and Scotland" (*ibid*, col 826). Finally, he said a number of points raised by Mark Durkan about the impact of the changes on Northern Ireland would require further consideration (*ibid*, col 827).

Amendments 18, 19 and 44–176 were agreed to without division. Amendment 177, about postal voting, was agreed on division 331 votes to 238.

## 2.5 Referendum Thresholds

The second day of Report Stage concluded with discussion of whether it was appropriate to set a threshold for the proposed referendum on AV. Bill Cash (Conservative) moved amendment 7 and outlined his objectives:

My amendment is very modest. It simply calls on the Government to agree that we should insert in the Bill that the result of the referendum will not pass if less than 40 per cent vote in it. That is 40 per cent of those who are eligible to cast a vote. It is about turnout, and 40 per cent is not a large proportion.

(*ibid*, col 843)

Mr Cash explained that a 'turnout' threshold was an important safeguard that needed to be debated in the House of Commons. He added however that this was not an appropriate Bill for the House of Lords to amend: "This is a matter for the House of Commons; it is about our electors, our constituencies, our constitution and the freedom of choice at the ballot box" (*ibid*, col 845).

Chris Bryant, for the Opposition, argued that referendum thresholds were not a good idea. He said that it was difficult to know whether to apply a 'turnout' threshold or one that sets a minimum for support (*ibid*, col 846). Mr Bryant also voiced concerns about the potential for higher turnout in the devolved nations and the implications of a 'yes' vote there, while a lower turnout in England returned a 'no' vote. This, he said, was all the more significant because the referendum was not an advisory device but an implementing one (*ibid*, cols 847–8).

Eleanor Laing (Conservative) spoke to amendments 197 and 198. The amendments proposed a 'support' threshold that 25 per cent of those entitled to vote must vote yes for the referendum to be binding. She explained "these very modest" amendments:

The simple, inescapable principle is that a change to the voting system is a significant constitutional change; that is why the Government have decided to have a referendum—and rightly so. The outcome of a referendum to change our constitution must be, and must be seen to be, decisive. It must command confidence and respect and it should not be challengeable. If there is a derisory

turnout, the result will not command respect or confidence. Indeed, it is worse than that.

*(ibid, col 851)*

Edward Leigh (Conservative) intervened to suggest that the advantage of a 'support' threshold was that it would not encourage abstention. Mrs Laing responded that the referendum could be won on only 15 per cent of the popular vote and the purpose of her amendment was therefore to protect against that possibility (*ibid, cols 851–2*).

Mark Harper responded for the Government. He said that the Government had not specified a threshold because they wanted to "respect the will of the people who vote in the referendum, without any qualifications". He added that Mr Cash's amendment would "make every abstention effectively a no vote" (*ibid, cols 852–3*). He said that participation in the referendum was important:

We need to encourage participation in the referendum. We want people to take part, and putting in a rule that encourages at least one side to campaign actively for voters not to take part would do our democracy a disservice.

*(ibid, col 853)*

Concerning fears of a low turnout, Mr Harper said that "Previous referendums in this country have either had good turnouts or, where the turnouts have not been that high, they have produced decisive clear results from the electorate, so I do not share that concern. We should not go against our tradition and practice in this country by setting turnout thresholds" (*ibid, col 853*). With regard to the 'support' threshold proposed by Eleanor Laing, Mr Harper said that the Government could not accept the amendment as it was "not compatible with what we set out in the Coalition Agreement". The Agreement, he added, stipulated that the referendum was to be a simple majority referendum (*ibid, col 853*).

Bill Cash's amendment 7 was defeated on division 549 votes to 31. A number of Government amendments were agreed without division.

### **3. Commons Third Reading**

Nick Clegg, the Deputy Prime Minister, opened debate at Third Reading by summarising how the Bill had been amended during its passage through the House of Commons:

The Government accepted the Electoral Commission's findings on the question—something that found support right across the House. The Bill also now includes detailed provision for the combination of the referendum with the other elections on 5 May, making the poll easier to run and allowing savings to be made.

*(ibid, col 861)*

Setting the Bill in the context of the controversy surrounding expenses, Mr Clegg described it as part of a plan for "wholesale political reform" that included introducing fixed-term parliaments, a new power of recall and implementing House of Lords reform (*ibid, cols 862–3*). Mr Clegg then addressed some of the concerns raised during the Bill's passage through the House. He acknowledged that some worried that a combined poll in the devolved nations would impact negatively on the devolved elections but

committed the Government to “help ensure that combined elections run smoothly” (*ibid*, col 863). With regard to concerns about the proposed boundary changes, he said that the Government believed that “fairness demands constituencies are basically equal in size”. The Bill, however, provided the Boundary Commissions with flexibility to address local factors (*ibid*, col 864).

Sadiq Khan, for the Opposition, described the Bill as lacking a mandate, “the product of a straightforward political bargain”. He criticised the Government for regarding the Coalition Agreement as “an unalterable document that must be accepted totally and unquestionably”. Moving onto the scrutiny given to the Bill, Mr Khan said that the “process has suffered because it has been rushed” (*ibid*, col 866). He said that the convention was that major constitutional Bills were given enough time and then gave a number of Acts he felt showed the previous Government took this convention seriously. The Government of Wales Act 1998 and the Scotland Act 1998, he said, had received more time on the floor of the House than this Bill (*ibid*, col 867).

Mr Khan then outlined the Opposition’s objections to the Bill. He said that the Labour Party believed in more equal seats but with more flexibility on the number of voters in each and more exemptions. The Boundary Commissions, he said, had also been instructed to use the December 2010 electoral register to complete its boundary review by October 2013. This would be done with up to 3.5 million eligible voters missing from the new constituencies. He said the Bill’s provisions to abolish local enquiries into Boundary Commission recommendations were a device to avoid delaying “their politically driven timetable” (*ibid*, col 869).

He concluded his comments by saying the proposals for combining the AV referendum with local polls would create the risk of “administrative chaos and potential for spoilt ballots”. While Labour supported a referendum on AV and more equal seats:

This Bill is a bad means of delivering both objectives. It is too inflexible and too hasty, and it will lead to great and ongoing political instability. This House has failed to improve the Bill because it has not been allowed to do so. To our shame, that task now falls to unelected peers in the other place, whom we must now rely on to inject some democratic principles into what, to date, has been an inglorious episode in recent parliamentary history.

(*ibid*, col 870)

There were a number of backbench contributions. Eleanor Laing accused the Opposition of trying to preserve “the current unfair balance in constituency structures” for their own advantage (*ibid*, col 871). Charles Walker (Conservative) complained that the Government had failed to bring forward proposals to make the Government proportionate in size in a reduced House of Commons of 600 seats (*ibid*, col 875). Steve Rotheram (Labour) said there were “manifold flaws, inconsistencies and illogicalities in part two of the Bill”, as there were no attempts to improve voter registration, reduce the size of the Cabinet or allow for common sense in boundary reviews (*ibid*, cols 878–9).

Richard Shepherd (Conservative) spoke from a constitutional perspective. He said the Bill failed to enhance the position of the electorate, through its representation in the Commons, against the Executive. He then criticised the Deputy Prime Minister for his lack of involvement in proceedings on the Bill and the lack of time available for scrutiny:

Hundreds of amendments have been pushed in because the Bill was incomplete and not thought through. The consequences were not weighed. How could they be weighed? The Minister leading on the Bill, the Deputy Prime Minister, is

unaware of the arguments that take place here. The Bill will be sent down to the House of Lords, and there is an argument that was raised by my hon. Friend the Member for Epping Forest—what business is it of the Lords, the electoral rules and regulations of the House of Commons?

*(ibid, col 881)*

Simon Hughes, Deputy Leader of the Liberal Democrats, spoke in support of the Bill. He said it was right that the electorate were being given the opportunity of improving their electoral system. He said that while it was not proportional, AV would allow voters to give positive preferences, rather than voting for what they do not want. He added that the disparity in the number of voters in each seat was “scandalous” and it was no longer justifiable for Wales and Scotland to be “over-represented in this place when England does not have any devolved government at all” *(ibid, cols 883–4)*.

The Bill was given a Third Reading by 321 votes to 264.

