



# **BOUNDARY COMMISSION FOR ENGLAND**

## ***ANNUAL REPORT***

***2009/2010***

**May 2010**



# **BOUNDARY COMMISSION FOR ENGLAND**

## **Membership**

The Speaker, the Rt. Hon John Bercow MP  
(ex-officio Chairman)

The Hon. Mr Justice Sales, Deputy Chairman

Mr David Elvin, QC, Commissioner

Mr Neil Pringle, Commissioner

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# Boundary Commission for England

## Annual Report 2009/2010

### DEPUTY CHAIRMAN'S REPORT

1. When we met on 22 July 2009, we considered whether we should commence an interim review. We were mindful that sections 2(1) and 3(1) of the Parliamentary Constituencies Act 1986 (as amended) require us to keep under continuous review the representation of England in the House of Commons and that section 3(3) permits us to conduct a review of any particular constituency or constituencies. In the normal course of events, we conduct interim reviews to ensure that the boundaries of the constituencies are kept in alignment with county, London borough, and district boundaries, and that local government district wards are contained within constituency boundaries and are not divided between them. However, an interim review may also be conducted to consider the allocation of an extra constituency to an area resulting from a significant increase in that area's electorate.

2. Each year we consider the changes that have been made to local government boundaries, particularly district ward boundaries, which result from reviews conducted by the Boundary Committee for England (re-named the Local Government Boundary Commission for England with effect from 1 April 2010). We noted that as a result of such boundary changes, twenty-four of the constituencies that would be used at the general election had boundaries that were no longer wholly in alignment with altered local government ward boundaries.

3. At the same time, we also considered the electoral statistics for 2009 (based on the electoral registers published on 1 December 2008). We noted that the electoral growth in those areas (Ashford, Milton Keynes, and Telford and Wrekin) where it had been submitted to the Commission during the fifth general review that strong electoral growth required the allocation of an extra constituency, had not materialised. However, we will continue to maintain a watch on the electoral statistics for these and other areas. We also noted that the slow and steady growth in the electorate of the Isle of Wight had continued. The island's electorate has reached 110,349 (2009 figures), which gives it a theoretical entitlement to 1.55 constituencies, and a second constituency could be allocated.

4. After careful consideration, we decided that we would not commence an interim review during the 2009/10 financial year for any of the twenty-four constituencies where it might normally be thought appropriate, as we considered that it was most unlikely that the new constituency boundaries resulting from the review would be available for use at the general election held in May. We also decided not to conduct an interim review of the Isle of Wight, to allocate a second constituency, for the same reason. We will next consider whether to conduct an interim review of any constituencies in the Autumn.

5. We are disappointed to note that, whilst the Government announced on 20 November 2007 that it would conduct a review of the Parliamentary Constituencies Act 1986, under which we conduct both general and interim reviews, that review did not take place. We agree with the Committee on Standards in Public Life that the 1986 Act is in need of review and we consider that it is of some importance that any changes identified by the review process should be implemented before we commence our next major review.

6. We noted from the manifestos published ahead of the general election by the three main UK political parties that each commented upon possible changes to the current electoral system. In particular, reference was made to the possibility of reducing the number of constituencies. If such changes are to be introduced, it is likely that the Commission would have relevant comments to make regarding the practicalities of implementing them. We will seek to discuss any proposals which are forthcoming with colleagues at the other UK Boundary Commissions. We will monitor what changes are proposed in future months and contribute, as appropriate, to any discussions relating to a reduction in the number of constituencies allocated to England. If a Bill giving effect to such proposals is to be introduced in Parliament, we will submit views on the practical mechanics of implementing it.

***Philip Sales***

Deputy Chairman

24 May 2010



## **INTRODUCTION**

### **The Sponsor**

1. The Boundary Commission for England is an advisory Non-Departmental Public Body (NDPB) which is sponsored by the Ministry of Justice (MoJ). The Commission submits reports in respect of parliamentary constituencies to the Lord Chancellor and Secretary of State for Justice. It is his statutory duty to lay them before Parliament together with the draft of an Order in Council giving effect to the Commission's recommendations, either with or without modifications, except where the report states that no alteration is required. If modifications are proposed, the Secretary of State must also lay a statement of the reasons for the modifications.

### **The Commission**

2. The Commission is constituted under Schedule 1 of the Parliamentary Constituencies Act 1986 (as amended). The Commission is an independent, non-political and impartial body and it takes every opportunity to emphasise that the results of previous elections do not, and should not, enter into its considerations. Nor does it consider the effects of its recommendations on future voting patterns. The Commission does not allow such factors to be discussed at its local (public) inquiries.

### **Membership of the Commission**

3. The Speaker of the House of Commons is the ex-officio Chairman of all four Boundary Commissions in the United Kingdom. The appointment of the Speaker further emphasises the independent, impartial, and non-political nature of the Commission. The Speaker plays no part in the conduct of reviews.

4. The Deputy Chairman of the Commission, who presides over meetings, is a High Court judge appointed by the Lord Chancellor. The current Deputy Chairman, who was appointed with effect from 1 June 2009, is the Honourable Mr Justice (Sir Philip) Sales. The two other Members of the Commission are Mr David Elvin QC who was appointed with effect from 12 January 2009 and Mr Neil Pringle who was appointed with effect from 1 July 2009.

5. The Commissioners are part-time appointees who meet, whenever the work programme requires, at the Secretariat offices in London. Since the passing of the Boundary Commissions Act 1992, the Commissioners (not including the Deputy Chairman) are paid a daily fee set by the Treasury and, with the Deputy Chairman, are entitled to recover any expenses incurred on Commission work.

### **Code of Practice**

6. The Commission maintains a Code of Practice and a Register of Members' Interests. These documents are updated annually and can be accessed on the Commission's web site.

### **Assessors**

7. There are two statutory assessors, i.e. technical advisers, to the Commission. They are the Director General of Ordnance Survey and the Statistics Authority. Both are represented at Commission meetings by deputies, whenever the Commission has a need to consult them on their areas of expertise.

### **Assistant Commissioners**

8. A panel of Assistant Commissioners was appointed by the Secretary of State to conduct local inquiries on behalf of the Commission. Assistant Commissioners are paid a daily rate set by the Treasury when they work for the Commission conducting and reporting on local inquiries. A new panel will need to be appointed for the next review.

### **The Secretariat**

9. The Secretary to the Commission is Mr Robert Farrance of the MoJ, who heads the Secretariat which currently consists of four other full-time MoJ staff. The role of the Secretariat is to service and assist the Commission in its conduct of reviews and in executing the decisions it takes. The Secretariat also help Assistant Commissioners with the conduct of local inquiries. The Secretariat may be contacted at the address at the front of this report.

### **Statutory Duties**

10. The Commission's statutory function is to keep under continuous review the distribution of constituencies in England, to conduct reviews of the boundaries of Westminster parliamentary constituencies and to make periodical reports with recommendations to the Secretary of State in accordance with the provisions of the Parliamentary Constituencies Act 1986 (as amended). The Commission may also undertake discretionary reviews of one or more constituencies where it believes this is appropriate.

11. During general reviews, the Commission considers the number, distribution, boundaries, names, and designations of all the constituencies in England, usually considering options on a county by county basis. The chosen option is then published as the provisional recommendations for public consideration and comment. A local inquiry, which is fully open to the public, must be held if objections are received from an interested local authority or from a body of one hundred or more electors. An inquiry may often lead to the Commission publishing revised recommendations for further comment. There is scope for a second public inquiry, although this is rarely exercised, and for the publication of further modified recommendations before the Commission submits a report with final recommendations for the whole of England to the Secretary of State.

12. The Commission is required to undertake a general review of all the parliamentary constituencies in England within eight to twelve years of the submission of its previous report to the Secretary of State. The Commission's fifth periodical report was submitted on 31 October 2006. Therefore, the report on the next, sixth, general review will have to be submitted between 1 November 2014 and 31 October 2018.

## CONSULTATION

### Liaison with Other Bodies

13. Throughout the year, the Commission's Secretariat maintained regular contact with the sponsor Department. Meetings were held, and information exchanged, with the Boundary Committee for England (now known as the Local Government Boundary Commission for England). Meetings also took place with Ordnance Survey to discuss paper and digital mapping requirements, and electoral statistics were exchanged and discussed with the Office for National Statistics. The Secretariat also maintained contact with the Electoral Registration Officers throughout England. The Commission were represented at the annual meeting of the UK parliamentary and local government boundary commissions which took place in London in April 2009.

### Reporting Progress

14. The Commission did not issue any news releases to the media, local authorities, MPs and other interested parties as no interim reviews were undertaken. However, newsletters were issued about matters of a more general nature. The Secretariat also reported progress to the MoJ through a series of meetings. Whilst the ex-officio Chairman of the Commission (the Speaker of the House of Commons) was not actively involved in reviewing the constituencies, he was kept informed of the Commission's activities.

## OBJECTIVES

### General Objective

15. To keep under continuous review the representation of England in the House of Commons.

### Specific Objectives for 2009/2010

16. The specific objectives during the 2009/2010 financial year, were to:-

- Hold a maximum of four meetings to conduct the required work.
- Consider whether any interim reviews were required as a result of:-
  - a) changes made to local government boundaries resulting from the creation of new unitary authorities; and
  - b) changes made to local government ward boundaries by Further Electoral Reviews.
  - c) changes made to local government ward boundaries as a result of Parish and Ward Electoral Changes Orders made by the Electoral Commission; and

- d) electoral growth or decline.
- Update business databases with the 2010 (1 December 2009) electoral statistics.
- Attend and contribute to the annual meeting of the UK Local Government and Parliamentary Boundary Commissions.
- Contribute to the review of the Parliamentary Constituencies Act 1986, if one was conducted.

## TARGETS

### Outcomes of specific targets

17. The outcomes of the specific targets for the objectives which are set out above were:-

- Hold a maximum of four meetings to conduct the required work.  
  
Only three meetings were required to conclude the business of the Commission.
- Consider whether any interim reviews were required as a result of:-
  - a) changes made to local government boundaries resulting from the creation of new unitary authorities; and
  - b) changes made to local government ward boundaries by Further Electoral Reviews.
  - c) changes made to local government ward boundaries as a result of Parish and Ward Electoral Changes Orders made by the Electoral Commission; and
  - d) electoral growth or decline.

The Commission decided not to conduct an interim review for any of the twenty-four constituencies where it might normally be considered appropriate, as it was thought most unlikely that the new constituency boundaries resulting from the review would be available for use at the general election held in May.

- Update business databases with the 2010 (1 December 2009) electoral statistics.  
  
The Commission's databases were updated.

- Attend and contribute to the annual meeting of the UK Local Government and Parliamentary Boundary Commissions.

The Commission were represented at the annual meeting in London by Mr Robin Gray (Commissioner at that time) and the Secretary. The meeting was informed about the Commission's work programme for the preceding year (2008/09) as well as the expected work programme for the 2009/10 financial year.

- Contribute to the review of the Parliamentary Constituencies Act 1986, if one was conducted.

Whilst the Government announced on 20 November 2007 that it accepted the recommendation from the Committee on Standards in Public Life that the Parliamentary Constituencies Act 1986 should be reviewed, the review has not taken place.

## **BUDGET AND EXPENDITURE 2009/2010**

18. The table below compares the actual expenditure during the year with the budget provided by the sponsor Department. An explanation is given for any major differences between planned and actual expenditure. A quarterly profile of planned and actual staffing of the Secretariat is also provided on the following page.

### **Budget and Expenditure by Subhead**

<b>Budget Component</b>	<b>Budget (£)</b>	<b>Expenditure (£)</b>	<b>Difference (£)</b>
Salaries and NI	235,372	235,334	38
Travel and subsistence	10,380	1,205	9,175 <sup>1</sup>
Miscellaneous	13,098	4,787	8,311 <sup>2</sup>
Capital and software	6,000	0	6,000 <sup>3</sup>
Infrastructure costs (IT)	10,000	4,482	5,518 <sup>4</sup>
Legal	7,000	1,000	6,000 <sup>5</sup>
<b>Running Costs Total</b>	<b>281,850</b>	<b>246,808</b>	<b>35,042</b>
Advertising	24,000	0	24,000 <sup>6</sup>
Ordnance Survey	30,000	12,958	17,042 <sup>7</sup>
Local Inquiries	54,900	0	54,900 <sup>8</sup>
ESRI(UK)	21,970	35,739	-13,769 <sup>9</sup>
Commission fees & expenses	17,280	7,666	9,614 <sup>10</sup>
<b>Other Current Total</b>	<b>148,150</b>	<b>56,363</b>	<b>91,787</b>
<b>Grand Total</b>	<b>430,000</b>	<b>303,171</b>	<b>126,829</b>
The reasons for the differences between the budget and the expenditure are given in the table on the next page			

1. Fewer external meetings undertaken by the Secretariat. Includes £89 accrual.
2. Includes staff training, courier services, document storage fees, journals, stationery. Includes £57 accrual for document storage.
3. Under-spend as no capital or software costs incurred.
4. Costs of GIS data loads and IT provision less than anticipated. Includes £4,152 accrual.
5. Includes £1,000 accrual for advice from Treasury Solicitor.
6. No review work resulted in no advertising requirement.
7. Under-spend resulted from a lower paper mapping requirement than had been planned.
8. No inquiries undertaken.
9. Over-spend due to a greater than expected consultancy requirement as a result of the accommodation move and change of IT platform. Includes £15,430 accrual.
10. Under-spend due to only two meetings being required. Includes £1,931 accrual

- Figures include VAT (where applicable)
- Discrepancies of +/- 1 are due to rounding up or down to the nearest whole number in the financial spreadsheets

### **Staff Complement** (head count)

Grade	1/4/2009		1/7/2009		1/10/2009		1/1/2010	
	Plan	Actual	Plan	Actual	Plan	Actual	Plan	Actual
Grade 7	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
SEO	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
HEO	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
EO	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
<b>Total</b>	<b>5.00</b>	<b>5.00</b>	<b>5.00</b>	<b>5.00</b>	<b>5.00</b>	<b>5.00</b>	<b>5.00</b>	<b>5.00</b>

### **Monitoring Expenditure**

19. The Secretariat maintained financial information spreadsheets that recorded by date, topic, sub-head, and component, every item of expenditure. Each month, the Secretariat met with officials from the sponsoring department in order to confirm monthly expenditure and to provide accurate financial information reports, to profile expenditure for the financial year, confirm quarterly expenditure, and report on potential under-spends or over-spends.

## **OUTLINE WORK PROGRAMME FOR 2010/2011**

### **Programme**

20. In this financial year, the budget agreed with the sponsoring Department will be £386,000. The Commission expects to:-

- Hold a maximum of four meetings to conduct the required work.
- Consider whether any interim reviews are required as a result of:-
  - a) changes made to local government boundaries resulting from the creation of new unitary authorities;

- b) changes made to local government ward boundaries by Further Electoral Reviews;
  - c) changes made to local government ward boundaries as a result of Parish and Ward Electoral Changes Orders; and
  - d) electoral growth or decline.
- Update business databases with the 2011 (1 December 2010) electoral statistics.
  - Update the Geographic Information System (GIS) with the 2011 electoral statistics and the October 2010 version of Boundary Line.
  - Attend and contribute to the next annual meeting of the UK Local Government and Parliamentary Boundary Commissions to be held in Edinburgh in April 2010.
  - Recruit a new panel of Assistant Commissioners;
  - Procure a transcription service for local inquiries;
  - Contribute to any discussions relating to a reduction in the number of constituencies allocated to England.

#### **Budget by Subhead for the 2010/2011 work programme**

<b>Budget Component</b>	<b>Budget (£)</b>	
<i>(Admin costs)</i>	<i>Including VAT (where appropriate)</i>	
Salaries and NI	242,825	
Travel and subsistence	4,400	
Miscellaneous	14,660	<sup>1</sup>
Infrastructure costs (IT)	12,200	
Legal	7,000	
<b>Running Costs Total</b>	<b>281,085</b>	
<i>(Programme costs)</i>		
Advertising	20,000	
Ordnance Survey	14,916	
Local Inquiries	0	
ESRI(UK)	48,419	
Commission fees & expenses	21,580	
<b>Other Current Total</b>	<b>104,915</b>	
<b>Grand Total</b>	<b>386,000</b>	
1. Includes staff learning and development, off-site storage, and other sundries.		

21. It should be noted that the budgetary requirement set out in the table above assumes the Commission will continue to work as it has done in the previous year. However, in view of the high probability that legislation will be introduced that will require the conduct of a review to reduce the number of constituencies, there is every possibility that additional funding will have to be sought by way of a supplementary bid.