

Boundary Commission for England

Annual Report
2011/2012



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The 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

Deputy Chairman's Report

Statutory progress report for 2011

As required by section 3(2B)(a) of the Parliamentary Constituencies Act 1986 (as amended by the Parliamentary Voting System Act 2011), hereafter referred to as “the Act”, we submitted (in January 2012) a report to the Speaker of the House of Commons setting out the progress we had made with the current ‘2013 Review’ between January and December of 2011. Information about the progress of our work programme between those dates can therefore be viewed in that statutory progress report, a copy of which is available to view on our website (www.independent.gov.uk/boundarycommissionforengland).

Activities January–March 2012

Handling initial consultation responses

January and February 2012 were dominated by the Secretariat's work preparing the representations received in the initial consultation period for publication, to commence the secondary consultation phase. As noted in the statutory progress report for 2011, we received over 22,000 unique representations in response to the initial consultation, i.e. not including identical pro-forma representations, and counting a petition as one unique response. This included significant work on the development of a suitable facility for the representations to be published and searchable on our website during the secondary consultation period.

Secondary consultation period

6 March 2012 saw the formal commencement of the secondary consultation period. The statutory consultation period ran for four weeks, and concluded on 3 April. In excess of 5,000 unique representations were received during this consultation phase.

Assistant Commissioners

With the publication of the responses to the initial consultation period (including the transcripts of public hearings), the Assistant Commissioners have begun to read the representations made so far in the regions to which they have been assigned. The Assistant Commissioners will consider our own initial proposals, the representations made on those during the initial consultation period (both oral and written), and the subsequent representations made during the secondary consultation period before submitting to us their recommendations on whether – and, if so, to what extent – our initial proposals should be revised.

Communications

In addition to the statutory progress update mentioned above, we published our first Newsletter of 2012 on 31 January, which set out information about the arrangements for the secondary consultation period commencing in March.

Throughout the year, the Secretariat maintained regular contact with the sponsor Department. Meetings were held, and information exchanged, with the Local Government Boundary Commission for England. Meetings also took place with Ordnance Survey to discuss the paper and digital mapping requirements for the general review, 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, including sending a senior representative to speak at the Annual Conference of the Association of Electoral Administrators at the end of January 2011. The Commission was represented at the annual meeting of the UK Parliamentary and Local Government Boundary Commissions which took place in Belfast in December 2011.

Philip Sales

Deputy Chairman

1 July 2012

Introduction

The Sponsor

1. The Boundary Commission for England is an advisory non-departmental public body (NDPB) which is sponsored by the Cabinet Office. The Secretariat staff and corporate functions such as Finance, IT and HR support are all provided by the Cabinet Office, which also oversees the corporate governance arrangements for the Commission.

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.

3. The Commission is required to submit periodical reports in respect of the parliamentary constituencies to the Secretary of State (the Deputy Prime Minister). It is his statutory duty to lay the reports before Parliament together with the draft of an Order in Council giving effect to the Commission's recommendations.

Membership of the Commission

4. 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.

5. 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.

6. 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, together with the Deputy Chairman, are entitled to recover any expenses incurred on Commission work.

Code of Practice

8. 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 website.

Assessors

9. 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

10. The Commission has a panel of Assistant Commissioners appointed by the Secretary of State to assist it with the current general review. The Assistant Commissioners chair the public hearings that the Commission are now statutorily required to hold. They have also been asked to undertake an assessment of the representations submitted to the Commission in respect of its provisional recommendations, together with subsequent comments on those representations, received during the secondary consultation period. The Assistant Commissioners will be required to submit reports, with recommendations, to the Commission. The Assistant Commissioners are paid a daily rate set by the Treasury when they work for the Commission.

The Secretariat

11. The Secretary to the Commission is Mr Simon James, who heads the Secretariat which currently consists of twenty other full-time 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 may be contacted at the address at the front of this report.

Statutory Duties

12. The Commission's statutory function is to keep under review the distribution of constituencies in England 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).

13. The current general review of the constituencies in England, which is the first under the provisions introduced by the Parliamentary Voting System and Constituencies Act 2011, which further amended the Parliamentary Constituencies Act 1986, requires the Commission to allocate 502 constituencies to England: a reduction of 31. Each constituency will be required to have an electorate that is within 5% of the United Kingdom electoral quota (76,643).

14. Once the Commission has completed its consideration of the distribution of the constituencies, it announces its provisional representations. Interested parties have a twelve week period in which to submit representations of support or objection. During the representation period, the Commission holds public hearings, so that oral submissions can be made to it. The Commission is then required to make the representations submitted during the twelve week period available so that interested parties can consider them and submit counter-representations during a further four week period. Once the four week period for counter-representations has closed, the Assistant Commissioners are asked to consider:

- the representations received in respect of those;
- the oral submissions made at the public hearings; and
- the counter-representations received;

against the requirements of the Parliamentary Constituencies Act 1986 (as amended).

15. The Assistant Commissioners are asked to submit reports with recommendations to the Commission. Once the reports have been considered, the Commission may decide to announce revised recommendations for those provisionally recommended constituencies where change has been recommended by the Assistant Commissioners. The Commission may also propose no change, or their own changes in light of the recommendations from the Assistant Commissioners. If revised recommendations are announced, a period of eight weeks will be available during which representations can be made to the Commission. Further public hearings will not be held and there will not be a period during which counter-representations can be submitted.

16. The Commission is required to submit its report on the current general review to the Deputy Prime Minister "before 1 October 2013". Subsequent reports will be required to be submitted every five years thereafter.

- the provisional recommendations;

Objectives

Overall objective

17. The Commission's overall objective during 2011/12 was to begin and progress the 2013 Review of Parliamentary constituencies in England, as required by the Parliamentary Constituencies Act 1986 (as amended).

Main objectives for 2011/12, with outcomes

18. The main objectives for the Commission during the 2011/12 financial year were to:

- **Hold three or four meetings to progress the conduct of the 2013 Review.**
In the event, five meetings were required to progress the conduct of the 2013 Review.
 - **Issue Newsletters and News Releases that provided information about the review.**
Two Newsletters (No.3/2011 and No.1/2012) were published. The first confirmed, inter alia, the outcome of the Commission's consultation on the use of the European Electoral Regions as a template for allocating the 502 constituencies. The second confirmed that the Commission had decided to publish the representations received during the initial consultation period on its website for consultation and not, as had been originally intended, in hard copy form at places of deposit around England.
- Nine reports outlining the Commission's Initial Proposals for the constituencies allocated to the nine European Electoral Regions were also issued. All documents were made available on the Commission's website.
- **Meet with the representatives of the Parliamentary political parties to discuss broad issues of policy relating to the general review.**
The Commission met with the representatives of the three main Parliamentary political parties on 4 April and 17 May 2011. The meetings considered broad issues of policy relating to the conduct of the review and the public hearings at which oral

submissions could be made. The minutes of the two meetings were made available on the website.

- **Issue an Information booklet to inform the review.**
The Commission published 'A Guide to the 2013 Review' which, inter alia, confirmed the rules for the review, the processes the Commission would follow, and the policies it would adopt in developing its proposals and final recommendations. The Guide was issued to all Members of Parliament representing an English constituency, all local authorities, those on the Commission's mailing list and was made available on the website.
- **Recruit a panel of Assistant Commissioners.**
A panel of 27 Assistant Commissioners was recruited with guidance and assistance from the Appointments Commission: the Secretary of State confirmed the appointments by warrant. The Assistant Commissioners were formed into 9 regional teams of three members, with one from each team nominated as the Lead Assistant Commissioner for the region. All the Assistant Commissioners attended induction sessions held by the Commission which provided background information about the review that had to be undertaken.
- **Publish Initial Proposals for all 502 constituencies in England in mid September 2011 and invite written representations to be made during a twelve week period.**
Initial Proposals for 502 constituencies were published on 13 September and the twelve week representation period closed on 5 December 2011. A copy of the relevant report was sent to each Member of Parliament representing an English constituency and all local authorities. Copies were made available on the website.

- **Hold public hearings in respect of the Initial Proposals in November and December 2011 so that oral submissions could be made.**
The Commission held a total of 36 public hearings. As required by statute, these were held between weeks 5 and 10 (10 October to 18 November 2011) of the representation period at locations in each region. A total of 1,169 oral submissions were made at the public hearings which were chaired by the Lead Assistant Commissioner for each region. Each public hearing was recorded and a full verbatim transcript was prepared from the recording.
- **Publish the representations (both written and oral) so that counter-representations could be submitted during a four week period.**
A copy of the written representations received during the twelve week representation period were made available on the Commission's website on 6 March 2012. A copy of the verbatim transcripts, containing the oral submissions made at the public hearings, were also made available.
- **Prepare the representations made in respect of the Initial Proposals (both written and oral) and the counter-representations, for consideration by the Assistant Commissioners.**
Initial preparatory work was conducted on the representations made in respect of the Initial Proposals. However, as the four-week period for counter-representations to be made will not be completed until mid April 2012, this objective will be more fully dealt with in the 2012/2013 annual report.
- **Update databases with the 2012 (1 December 2011) electoral statistics in March 2012.**
The Commission received all the electorate data for the 2012 electorates (1 December 2011), allowing it to update its databases. The Commission will publish the updating electoral statistics information covering the life of the 2013 Review in its final report.
- **Attend and contribute to the annual meeting of the UK Parliamentary and Local Government Boundary Commissions to be held in Belfast.**
The Commission was represented at the annual meeting held in Belfast on 15 December 2011 by Mr Neil Pringle (Commissioner) and Mr Simon James (Secretary). The meeting considered the progress that each part of the UK was making with its review of constituencies as well as a number of points of common interest.

Additional targets and outcomes

- **Procure a recording and transcription service.**
A contract for the delivery of a recording and transcription service was placed following the conduct of a full procurement exercise. The service provided for a sound recording to be made of each public hearing, with the oral submissions that had been recorded being transcribed.

Budget and Expenditure 2011/12

20. Prior to the start of the financial year, the Commission agreed a budget of **£3,242,989** with the sponsor Department, which it considered would be necessary to progress the 2013 Review. Two tables are set out below. The first provides a quarterly profile

of the planned and actual staffing levels of the Secretariat during the financial year. The second compares the Commission's actual expenditure during the year against the final budget agreed with, and provided by, the sponsor.

Staff Complement (head count)

	Apr-Jun 2011		Jul-Sep 2011		Oct-Dec 2011		Jan-Mar 2012	
Grade	Plan	Actual	Plan	Actual	Plan	Actual	Plan	Actual
SCS	0	0	0	0	0	0	1	1
Band A	3	3	3	3	3	3	2	2
Band B2	7	7	7	7	7	7	7	7
Band B1	10	11	10	11	10	11	10	11
Casual (Band C)	0	0	0	0	10	9	6	5.5
Contractor	0	0	1	1	1	1	0	0
Total	20	21	21	22	31	31	26	26.5

It should be noted that in those quarters where increases in the Secretariat staffing profile are recorded, staff did not necessarily join at the beginning of that quarter.

2011/12 Budget and Expenditure by Subhead

Budget Component	Budget (£)	Expenditure (£)	Difference (£)
Salaries and NI	1,123,319	998,504	124,815 (1)
Commissioners' fees	96,000	267,642	-171,642 (2)
Travel and subsistence	61,307	35,686	25,621 (3)
Public hearings/venue hire	60,000	72,045	-12,045
Legal and professional fees	25,000	2,908	22,092 (4)
GIS software licences and technical support (ESRI UK)	57,375	25,746	31,629 (5)
Mapping (Ordnance Survey)	258,341	163,444	94,897 (6)
Hospitality	2,200	1,610	590
Staff training	12,070	16,124	-4,054
Postage	5,000	21,141	-16,141 (7)
Stationery and publications	10,421	6,485	3,936
Publicity	1,262,004	956,865	305,139 (8)
Print services	47,166	58,381	-11,215
Records data and storage	996	922	74
Appointments Commission	70,000	70,622	-622
Hearing transcripts	150,000	64,399	85,601 (9)
Other e.g. telephony, furniture	1,790	5,115	-3,325
Grand Total	3,242,989	2,767,639	475,350

Notes: The budget for 2011/12 included supplementary funding of £390,000 for costs associated with the public hearings.

¹ Staff and overtime costs lower than anticipated.

² Commissioners required to conduct 36 public hearings and commence analysis of representations.

³ Travel and subsistence costs for public hearings less than anticipated.

⁴ Cost of legal advice from Treasury Solicitors less than expected.

⁵ Fewer amendments and upgrades were made to the Geographic Information System than in previous years.

⁶ The cost of mapping of the initial proposals was less than anticipated and no ad hoc mapping products were required.

⁷ Maps and other documents were sent to Assistant commissioners.

⁸ Decisions made on the communications strategy during the year meant that the BCE did not have to use its full allocated budget.

⁹ The cost of producing transcripts of hearings was less than expected.

Monitoring Expenditure

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

Outline Work Programme for 2012/13

Programme

25. In the 2012/13 financial year, the budget agreed with the Cabinet Office is **£2,470,917** and the Commission expects to:

- Hold three or four meetings to progress the conduct of the 2013 Review.
- By the beginning of May 2012, provide the regional teams of Assistant Commissioners with the written representations received in respect of the Initial Proposals, copies of the verbatim transcripts (oral representations) from the public hearings, and the counter-representations submitted during the statutory four-week period, so that they can be analysed.
- Receive reports from the regional teams of Assistant Commissioners by mid July 2012. The reports are expected to analyse all the representations (written and oral), the counter-representations, the Initial Proposals, and make recommendations to the Commission for the distribution of the constituencies in each region.
- By the end of July 2012, hold a meeting with each team of Assistant Commissioners to consider their reports and recommendations.
- Where considered necessary, publish revised proposals on a regional basis during autumn 2012 and invite written representations to be made about them within a statutory eight week period.
- Submit the statutorily required report about the progress made with the review to the Speaker of the House of Commons before the end of January 2013.
- Analyse the written representations made in respect of the revised proposals by mid March 2013.
- Update databases with the 2013 (1 December 2012) electoral statistics by the end of March 2013.
- Commence preparation of the report to be submitted to the Deputy Prime Minister before 1 October 2013, which contains recommendations for 502 constituencies.
- Plan, organise and attend the annual meeting of the UK Local Government and Parliamentary Boundary Commissions to be held in London.

Agreed budget for 2012/2013

Budget Component	Budget (£)
Salaries including NI and pension	897,739
Travel and subsistence	6,000
Conferences and events	9,500
Commissioner fees and expenses	374,000
Legal fees	25,000
GIS software licences and technical support (ESRI UK)	24,000
Mapping (Ordnance Survey)	165,000
Hospitality	2,160
Staff training and other staff related costs	12,852
Postage	2,300
Stationery, publications and IT consumables	30,442
Publicity	910,000
Print services	11,000
Records data and storage	924
Grand Total	2,470,917



North East Hertfordshire
Hertford and Stortford
Harlow
Epping Forest
Brentwood and Chelmsford
South Cambridgeshire
South East Cambridgeshire
Braintree
Saffron Walden
West Suffolk
Bury St Edmunds
South Suffolk
Essex
Kent
London



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