

[REDACTED]

24 November 2016

Dear [REDACTED]

**2016-17 FOI 0014**

Thank you for your request for information, which has been considered under the terms of the Freedom of Information Act (FOIA) 2000.

In your email you asked:

*Please would you send a map of the south-western part of the West Midlands (everywhere broadly east and south of Birmingham with the ward boundaries which have been sued (sic) in your proposals for new parliamentary constituencies, their names, and preferably the number of electors in each. Without this, it is almost impossible to consider suggesting variations to your proposals.*

*Please would you also send whatever background or internal papers you hold on the reasons for the proposals that you have made for this part of the region, in particular explaining the extent to which you have or have not taken into account human geographical factors such as transport links, economic connections, social groupings, and precedents; and the contents of discussions (by whatever medium) with local authorities.*

*If you are able to supply these before the meetings to be held in Leamington on 10 and 11 November, I would be grateful.*

The Boundary Commission for England (BCE) is an independent and impartial non-departmental public body, which is responsible for the periodic review of UK Parliamentary constituencies in England.

In relation to the first part of your request: at the Royal Leamington Spa public hearing on 11 November 2016, members of the Commission's secretariat provided you with the following documentation:

- Initial proposals report for the West Midlands
- A0 map of the initial proposals for the West Midlands
- A3 map book of the initial proposals for the West Midlands

The documents provided on that date included details of the ward electorates and ward boundaries as specified in your FOI request. Please note that all this information is already publically available on our consultation website ([www.bce2018.org.uk](http://www.bce2018.org.uk)) and in pdf form on our corporate website (<http://boundarycommissionforengland.independent.gov.uk/>); the hard copy proposals are not routinely released to members of the public given the cost of producing such material.

In relation to the second part of your request: the initial proposals documents contain the justification reasoning for the pattern of constituencies we have proposed. In addition to these documents, we have now published the minutes of the meetings of the Commission, at which the proposals were agreed. You can find the minutes of the West Midlands region deliberations at the below link, and they are attached to this response.

<http://boundarycommissionforengland.independent.gov.uk/wp-content/uploads/2016/11/West-Midlands-initial-proposals-minute-2016-06-30.pdf>

In constructing the initial proposals, the Commission considered different constituency patterns proposed by the Secretariat. This information falls under your request regarding internal papers, and is in the form of a paper provided to the Commissioners.

The BCE does not, as a matter of policy, publish the internal papers provided to Commissioners prior to agreement of the proposals. However, in light of your FOI request, we have considered whether or not this paper should be released, or whether it falls under one of the exemptions allowed by the FOIA 2000. Having considered the request and paper, the Commission's 'qualified person' (the Secretary to the Commission) has judged that release of this paper would, or would be likely to, inhibit the free and frank provision of advice, or the free and frank exchange of views for the purposes of deliberation. It would therefore fall under the exemption permitted under section 36 of the FOIA 2000. In the Secretary's reasonable opinion, release of this information would be likely to affect detrimentally the Commissioners' ability to consider, discuss and deliberate over different alternative options for Parliamentary constituencies. This, in turn, may have a negative effect on the final recommendations that the Commission puts to Parliament.

Section 36 of the FOIA 2000 is a 'qualified' exemption, rather than an absolute one, and we have therefore also considered, notwithstanding the opinion of the qualified person, whether or not release of this information is in the public interest. Given the information already in the public domain (the initial proposals themselves, which set out the Commission's reasoning in coming up with their proposals and the minutes of the meeting where they agreed the proposals), as well as the fact that these are initial proposals, currently out for consultation, and

not the Commission's final recommendations, we do not consider that release of this exempted information is in the public interest. The Commission is therefore withholding this information from release under section 36 of the FOIA 2000.

Finally, in relation to the last part of your request: to ensure our independence and impartiality, the BCE did not hold any discussions with local authorities about our initial proposals before they were drafted and published on 13 September 2016. The initial proposals are constructed by the Commission without the input of any interested parties - this consultation stage is the mechanism through which we consult and receive feedback from interested parties. We therefore do not hold any information pertaining to discussions with local councils.

The Commission does not hold any other information in relation to your FOI request.

If you have any queries about the content of this reply please contact me direct, quoting the above reference number on any communication.

Under the provisions of the FOI Act if you are dissatisfied with the response provided you may wish to ask for an internal review. The BCE has a reciprocal arrangement with the Boundary Commission for Wales and in this case you should write to:

The Secretary to the Boundary Commission for Wales,  
Ground Floor,  
Fitzalan Court,  
Cardiff,  
CF24 0BL  
Email: [bcomm.wales@wales.gsi.gov.uk](mailto:bcomm.wales@wales.gsi.gov.uk)

If it transpires you are not content with our response or the internal review, you may apply directly to the Information Commissioner for a decision. Generally, the Information Commissioner cannot make a decision unless you have exhausted the complaints procedure provided by the BCE. The Information Commissioner can be contacted at:

The Office of the Information Commissioner,  
Wycliffe House,  
Water Lane,  
Wilmslow,  
Cheshire,  
SK9 5AF

Yours sincerely,

A handwritten signature in black ink, appearing to be 'CW', with a long horizontal stroke extending to the right.

Mr Chris Wilcox,  
Information Manager