



Boundary Commission for England

Annual Report 2016/2017



Boundary Commission for England

Membership

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

The Hon. Mrs Justice Patterson, Deputy Chair (to 20 December 2016)
The Hon. Mr Justice Andrew Nicol, Deputy Chair (from 27 March 2017)

Mr David Elvin, QC, Commissioner

Mr Neil Pringle, Commissioner

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Contents

| | |
|--|-----------|
| Deputy Chair's Report | 2 |
| Information about the Boundary Commission for England | 3 |
| The Sponsor | 3 |
| The Commission | 3 |
| Membership of the Commission | 3 |
| Code of Practice | 4 |
| Assessors | 4 |
| Assistant Commissioners | 4 |
| The Secretariat | 5 |
| Statutory duties | 5 |
| Objectives & Outcomes for 2016/17 | 7 |
| Overall objective | 7 |
| Main objectives and outcomes for 2016/17 | 7 |
| Budget and Expenditure 2016/17 | 10 |
| Staff complement | 10 |
| Budget and expenditure by subhead | 11 |
| Monitoring expenditure | 11 |
| Outline Work Programme for 2017/18 | 12 |
| Programme | 12 |
| Budget by subhead for 2017/18 | 12 |

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Deputy Chair's report on the Commission's activities 2016/17

Following the sad death of the Commission's previous Deputy Chair, Mrs Justice Patterson, I was appointed in March 2017. I have heard much about the amount Frances contributed to the 2018 Review, and how popular she was among the Commission and its staff. She will be dearly missed. During the year, under her leadership, the Commission continued its work on the 2018 Review of Parliamentary constituency boundaries. Having agreed and published its initial proposals in September 2016, the Commission hosted 36 public hearings around the country, at which over 1,000 people gave their views on the initial proposals. The first consultation on the initial proposals provoked over 18,000 public responses, and I'm delighted to see that over 85% of those responses were made through our interactive consultation website – a real improvement in the way in which we engage with citizens during this review.

In February 2017, we published all those comments on our website, and invited further comments and counter-proposals – a further 7,000 comments were received during our second consultation. Both these consultations, and the 25,000 public comments received during the two of them, will stand us in good stead for the coming year, during which we will be working hard with our Assistant Commissioners to interrogate the evidence we've received, and to decide whether we should revise our initial plans based on the public's comments. We will consult on any revisions towards the end of 2017, which will keep us on track to report our recommendations to Parliament in September 2018, as we are required by the legislation to do.

Andrew Nicol

Deputy Chair
18 July 2017

Information about the Boundary Commission for England

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 to 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 and voting patterns of previous elections do not, and should not, enter into its considerations. Nor does it consider the possible effects of its recommendations on future voting patterns.
- 3 The Commission is required to submit periodical reports in respect of the parliamentary constituencies in England to the Government. It is the Government's 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 emphasises the independent, impartial, and non-political nature of the Commission. The Speaker plays no part in the actual conduct of reviews.
- 5 The Deputy Chair of the Boundary Commission for England, who presides over meetings, is a High Court judge appointed by the Lord Chancellor. The Deputy Chair was the Honourable Mrs Justice Patterson DBE, until her death on 20 December 2016. She was subsequently replaced by the Honourable Mr Justice Nicol on 27 March 2017 (appointment effective until 26 March 2020). The two other Members of the Commission are Mr David Elvin QC (appointment effective until 11 January 2019), and Mr Neil Pringle (appointment effective until 30 June 2019).

- 6 The Commissioners are part-time appointees who meet whenever the work programme requires it. The Commissioners (not including the Deputy Chair) are paid a daily fee set by the Treasury and, together with the Deputy Chair, are entitled to recover any expenses incurred on Commission work.

Code of Practice

- 7 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

- 8 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 nominated individuals, whenever the Commission has a need to consult them on their areas of expertise. The Commission did not require the presence of the Assessors at its meetings during 2016-17.

Assistant Commissioners

- 9 The Commission may arrange for Assistant Commissioners to be appointed by the Secretary of State to assist it with its work. During an active constituency review, Assistant Commissioners chair the public hearings that the Commission is statutorily required to hold. They are also asked to undertake an assessment of the representations submitted to the Commission in respect of its initial proposals, together with subsequent comments on those representations, received during the secondary consultation period. The Assistant Commissioners then submit recommendations to the Commissioners on how they feel the initial proposals might be improved in light of the consultation evidence received. The Assistant Commissioners are paid a daily rate set by the Treasury when they work for the Commission.

- 10 Twenty-one Assistant Commissioners were appointed in September 2016, following an open public recruitment exercise earlier in the year (see below).

The Secretariat

- 11 The Secretary to the Commission is Mr Sam Hartley. The Secretary heads the Secretariat, the role of which is to service and assist the Commission in its conduct of reviews and executing the decisions it takes, and generally to facilitate the smooth and efficient administration of the Commission's business. 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 During an active general review of the constituencies in England, by virtue of the provisions introduced by the Parliamentary Voting System and Constituencies Act 2011 (which amended the Parliamentary Constituencies Act 1986), the Commission allocate a defined number of constituencies to England, the precise number being calculated using a formula defined in the Act and producing a figure broadly in proportion to the size of England's electorate as against that of the whole United Kingdom. Each constituency is also required to have an electorate that is within 5% of the United Kingdom 'electoral quota' (also defined in the Act).
- 14 It is important to emphasise that those calculations are again defined in the Act, based on the electorates returned by local authorities for the period ending December 2015 (for the current 2018 Review) and are not open to debate by us.

15 Once the Commission has completed its consideration of the distribution of the constituencies, it announces its initial proposals. Interested parties have a twelve-week period in which to submit representations of support or objection. During this initial consultation period, the Commission holds public hearings, so that oral submissions can be made to it as well as written representations. 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 'secondary consultation' period for counter-representations has closed, the Assistant Commissioners are asked to consider:-

- the Commission's initial proposals,
- the representations received in respect of those,
- the oral submissions made at the public hearings, and
- the counter-representations received

also taking into account a number of statutory factors listed in the Parliamentary Constituencies Act 1986 (as amended).

16 The Assistant Commissioners are subsequently asked to submit recommendations to the Commission, taking into account all the evidence from consultation. Once those recommendations have been considered, the Commission may decide to announce revised proposals for those initially proposed 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 evidence presented by the Assistant Commissioners. If revised proposals are announced, a period of eight weeks is made available, during which representations on those revised proposals can be made to the Commission. Further public hearings are not held at this stage and there is no subsequent period for counter-representations to be submitted.

17 The Commission is required to submit its final report and recommendations following an active review to the Government at a time specified in the Act (for the 2018 Review, this is specified as during September 2018), with subsequent reports to be submitted every five years thereafter.

Objectives 2016/17

Overall objective

- 18 The Commission's clear focus this year has been delivering the first substantive stages of consultation of the review. It is the busiest financial year in the 2018 Review cycle, as it includes development and consultation on the initial proposals, as well as preparation of responses to that for publication in the secondary consultation.

Main objectives for 2016/17, with outcomes

- 19 The main objectives for the Commission during the financial year 2016/17 were to:-
- **Develop initial proposals for new constituencies, to be signed off by Commissioners by the end of June 2016.** This was completed on time, with initial proposals being agreed by the Commissioners at dedicated meetings 8-13 June 2016.
 - **By the end of July 2016, have published the Commission's formal 'Guide to the 2018 Review of Parliamentary constituencies', setting out in detail the legislation, procedure and the Commission's policies for the conduct of the review.** This was completed on time, with the Guide being published on 12 July 2016, and remaining available for download from the Commission's website.
 - **By the end of July, have secured the appointment of a suitable number of Assistant Commissioners to assist the Commission in its work, particularly in relation to chairing public hearings and assessing responses to the Commission's proposals for new constituencies.** The Commission ran an open public recruitment exercise during April and May 2016, receiving 369 applications, and interviewing 52 of those applicants. Recommendations were sent to the Cabinet Office (whose Minister makes these public appointments) in June, and 21 appointments were subsequently made, with a start date of the beginning of September 2016 and a term of office of 12 months.
 - **By the end of August 2016 develop all hard copy and electronic documentation for publication of initial proposals.** Following the Commissioners' sign-off of initial proposals in June, subsequent drafting, agreement and printing of the formal reports was completed on time.

- **By the end of August 2016, have a fully developed and tested online consultation portal ready to deploy for the initial consultation period, complete with data layers for existing boundaries and electorates for regions, local authorities, wards and polling districts.** Following extensive development and testing, our new consultation website was in place and ready to be used in a live environment by the end of August. This was launched successfully along with the initial consultation on 13 September 2016.
- **By the end of December 2016, have conducted a comprehensive 12-week statutory consultation on the initial proposals, including the required public hearings in every region.** The initial consultation period was delivered as planned, between 13 September and 5 December 2016. The consultation was supported by a comprehensive and generally successful advertising and publicity campaign, designed to raise awareness and encourage engagement with the review (an evaluation of this activity is included with the published papers of the Commissioners subsequent meeting on 4 May 2017). A total of 36 public hearings were held across England between 11 October and 18 November 2016 as follows: four in the Eastern region (Chelmsford, Norwich, Luton, Cambridge); three in the East Midlands (Derby, Northampton, Lincoln); five in London (Westminster, Bromley, Harrow, Kingston, Romford); two in the North East (Newcastle and Darlington); five in the North West (Manchester, Chester, Carlisle, Liverpool, Lancaster); five in the South East (Guildford, Oxford, Portsmouth, Brighton, Maidstone); four in the South West (Exeter, Truro, Poole, Bristol); four in the West Midlands (Birmingham, Shrewsbury, Royal Leamington Spa, Stafford); and four in the Yorkshire and the Humber region (Leeds, Sheffield, Northallerton, Hull). Total representations received in this initial consultation were 18,764, including both written and oral submissions.
- **By the end of January 2017, have published the statutory ‘annual report on progress’, which the Commission is required to provide to the Speaker of the House of Commons, updating on progress with a live review.** The Commission formally submitted its annual report of progress – covering the calendar year of 2016 – to the Speaker of the House of Commons on 6 January 2017.

- **By the end of March 2017, have prepared for publication all written and oral responses received in the consultation on initial proposals.**

In the event, the Commission was able to prepare all the initial consultation responses in advance of its original target date, and was therefore able to publish them all on 28 February 2017. Written consultation responses and transcripts of the oral public hearings were all published on the Commission's consultation website, with video recordings of the public hearings also made available on our YouTube website. This publication of initial proposals consultation responses commenced the statutory 'secondary consultation' period, which ran until 27 March 2017. Total comments received in this secondary consultation were 8,017.

- **During the course of the year the Commission will aim to hold three formal meetings to assess progress with the Review and make key decisions, and will also be represented at the Annual Meeting of UK Boundary Commissions.**

The Commission felt it necessary to hold only two formal meetings of its own during the 2016-17 financial year. The first meeting, on 25 April 2016, agreed a number of detailed policies and procedures for how the substantive stages of the review would subsequently be delivered. The second was actually a sequence of meetings held 8-13 June 2016, at each of which the Commission discussed and formally agreed their initial proposals for new constituency boundaries in one of the nine regions of England. The Commission was also represented by a Commissioner and the Secretary at the Annual Meeting of UK Boundary Commissions to discuss matters of common interest, held this year in Belfast on 9 December 2016.

Budget and expenditure 2016/17

- 20 The Commission agreed an initial budget of £2,500,000 with the sponsor Department, which it considered would be necessary to deliver the substantive elements of the 2018 Review during the 2016-17 financial year. 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 initial budget agreed with the Cabinet Office as sponsor Department. The Commission was able to achieve an underspend against budget of £374,071.

Staff complement (Full Time Equivalent)

| Grade | Apr-Jun 2016 | | Jul-Sep 2016 | | Oct-Dec 2016 | | Jan-Mar 2017 | |
|--------------|--------------|-----------|--------------|-----------|--------------|-----------|--------------|-----------|
| | Plan | Actual | Plan | Actual | Plan | Actual | Plan | Actual |
| SCS | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| Band A | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 |
| Band B2 | 7 | 7 | 7 | 7 | 7 | 7 | 7 | 7 |
| Band B1 | 8 | 6 | 8 | 7 | 8 | 4 | 5 | 5 |
| Band C | 0 | 0 | 2 | 2 | 1 | 1 | 2 | 1 |
| Temp staff | 0 | 0 | 8 | 0 | 8 | 2 | 0 | 0 |
| Total | 18 | 16 | 28 | 19 | 27 | 17 | 17 | 16 |

Figures shown represent the position as at the end of the relevant financial quarter.

2016/17 Budget and expenditure by subhead (figures supplied by Cabinet Office)

| Budget component | Budget 16/17 (£) | Expenditure (£)* | Variance (£) |
|--|---------------------|---------------------|------------------|
| Staff salaries, superannuation and NI | 779,102 | 809,565 | -30,463 |
| Staff travel and subsistence | 220,250 | 141,641 | 78,609 |
| Commissioner and Assistant Commissioner fees and expenses | 273,482 | 90,525 | 182,957 |
| Conferences and events (public hearing venue hire) | 11,700 | 21,397 | -9,697 |
| GIS and website (including consultation website) | 217,000 | 272,950 | -55,950 |
| Publicity (media development and production) | 690,266 | 646,531 | 43,735 |
| Transcription services | 240,000 | 128,970 | 111,030 |
| Stationery, subscriptions, consumables, and postage | 40,000 | 12,928 | 27,072 |
| Print services | 12,000 | 470 | 11,530 |
| Records and data storage and management | 1,200 | 952 | 248 |
| Total | 2,500,000 | 2,125,929** | 374,071** |

*Rounded up or down to the nearest pound.

**Rounded to nearest pound from total derived from detailed (not rounded) component expenditure and variance figures.

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 Cabinet Office central finance team, 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 and budget for 2017/18

Programme

22 The 2017/18 financial year will be another busy one for the 2018 Review, as it includes detailed analysis of the responses to the initial and secondary consultation, and development and consultation on the revised proposals. The budget provisionally agreed with the Cabinet Office is £2,040,000 and the Commission expects to:

- Develop revised proposals for new constituencies, to be signed off by Commissioners by the end of July 2017;
- By early 2018, have conducted a comprehensive eight-week statutory consultation on the revised proposals;
- By the end of January 2018, have published the statutory ‘annual report on progress’, which the Commission is required to provide to the Speaker of the House of Commons, updating on the progress of a live review;
- During the course of the year the Commission will aim to hold at least two formal meetings to assess progress with the Review and make key decisions, and will also be represented at the Annual Meeting of UK Boundary Commissions.

Budget for 2017/18 by subhead

| Budget component | Budget 17/18 (£) |
|---|------------------|
| Staff salaries, superannuation and NI | 756,974 |
| Staff travel and subsistence | 15,900 |
| Commissioner and Assistant Commissioner fees and expenses | 182,020 |
| Conferences and events | 11,200 |
| GIS and website (including consultation portal) | 288,706 |
| Publicity (media development and production) | 703,000 |
| Stationery, subscriptions, consumables, and postage | 31,000 |
| Print services | 50,000 |
| Records and data storage and management | 1,200 |
| Total | 2,040,000 |

