



[REDACTED]

22 November 2017

2017-18 FOI 012

Dear [REDACTED]

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:

I note in the revised proposals report (page 9) you say "...the revised proposals report sets out our analysis of all the responses to our initial proposals in the first and second consultations, and the conclusions we have reached as to how those proposals should be revised as a result."

However I can find no reference in the report to the comments relating to Hartley and Hodson Street ward (proposed Gravesham constituency) or the name of the Gravesham constituency. Therefore I am writing to request copies of the background deliberations on the Dartford/Sevenoaks/Gravesham constituencies.

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.

The deliberations by which the proposals were formulated are contained in the minutes of the meetings of the Commission. 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 South East region deliberations at the below links, and they are attached to this response.

Initial proposals

<https://boundarycommissionforengland.independent.gov.uk/wp-content/uploads/2016/11/South-East-initial-proposals-minute-2016-06-30.pdf>

Revised proposals



https://boundarycommissionforengland.independent.gov.uk/wp-content/uploads/2017/11/2017_07_11_SE_RP_Commission_minutes-Approved.pdf

In arriving at their decisions in constructing the initial and revised proposals, the Commission considered different constituency patterns, proposed by the Secretariat in the case of the initial proposals, and by the Assistant Commissioners in the case of the revised proposals. This information is in the form of papers 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 these papers should be released, or whether it falls under one of the exemptions allowed by the FOIA 2000.

Having considered the request and the papers, the Commission's 'qualified person' (the Secretary to the Commission) has judged that release of these papers 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

Boundary Commission for England
35 Great Smith Street
London
SW1P 3BQ

t 020 7276 1102
e chris.wilcox@boundarycommissionengland.gov.uk
w www.bce2018.org.uk
 www.facebook.com/bcommengland/
 @BCE2018

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 Government.

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 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 initial proposals), as well as the fact that these are 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.

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

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



Mr Chris Wilcox
Information Manager