

[REDACTED]

22 December 2017

2017/18 FOI 018

Dear [REDACTED]

Thank you for your representation to the Boundary Commission for England (BCE). As per the e-mail of the 7 December, the BCE are treating part of your representation as a request for information under the Freedom of information Act 2000 (FOIA 2000). The part under consideration is as

- (a) *Make public all internal documentation relating to the planning and production of initial and revised proposals for the West Midlands, including reports, memorandums, drafts, notes and summaries, records of meetings, results of computer modelling, maps, correspondence, and e-mails between staff.*

We have carried out a search for materials relating to your request and have identified the documents in the table below that are in scope. The final column of the table indicates our decision in relation to release of each category of information.

Date	Subject	Decision on release
Undated	Finalised and unfinished schemes built in GIS software for the West Midlands region initial proposals (saved in multiple version control)	Withhold under s36
Undated	Finalised schemes built in GIS software for the West Midlands region revised proposals (saved in multiple version control)	Published - PDF of map available online
6 June 2016	West Midlands region initial proposals paper to Commissioners	Withhold under s22
8 June 2016	Minutes of the Commissioner decisions on the initial proposals for the West Midlands region	already published
Multiple dates	Iterative draft versions of the West Midlands region initial proposals report	Withhold under s36
Undated	Lead Assistant Commissioner contemporaneous notes on public hearings	Withhold under s36
13 Jan 2017	West Midlands region summary of representations	Withhold under s36
28 April 2017	Assistant Commissioner Information Pack West Midlands	Withhold under s36
28 April 2017	Assistant Commissioner Representation Log	Withhold under s36
19 May 2017	Assistant Commissioner Briefing Report	Withhold under s36
9 June 2017	Note of West Midlands site visits and maps of proposals	Withhold under s36
14 June 2017	Notes of meeting with Assistant Commissioners	Withhold under s36

3 July 2017	West Midlands revised proposals paper to Commissioners	Withhold under s22
10 July 2017	Assistant Commissioner presentation to Commission	Withhold under s22
10 July 2017	Minutes of the Commission meeting on the Revised proposals for the West Midlands	already published
July 2017	Emails with Assistant Commissioners regarding the drafting of the West Midlands revised proposals report	Withhold under s36
2 August 2017	Emails from Commissioners regarding the drafting of the West Midlands revised proposals report	Withhold under s36
August 2017	Iterative draft versions of the West Midlands region revised proposals report	Withhold under s36
Multiple dates	Representations in response to the Initial proposals	already published
Multiple dates	Representations in response to the secondary consultation	already published

Section 22 of the FOIA 2000 provides public authorities with an exemption from the disclosure of information that is intended for publication at a future date, where it is reasonable in all circumstances that information should be withheld from disclosure until that date, as the Commission has committed to publish these documents following its completion. These records constitute information intended for future publication and the Commission is therefore entitled to consider their exemption from what would constitute early disclosure. Following consideration of the arguments both for and against the disclosure of the records, the Commission's qualified person (the Secretary of the Commission) has concluded that the case for maintaining this exemption outweighs the public interest in advance of the pre-determined publication date (the end of the Review in September 2018).

Section 36 of the FOIA 2000 provides public authorities with an exemption from the disclosure of information that is likely to inhibit the free and frank provision of advice or the free and frank exchange of views for the purposes of deliberation. In the opinion of the Commission's qualified person, release of the relevant information above would be likely to affect detrimentally the Commissioners', Assistant Commissioners' and the Secretariat's ability to consider, discuss and deliberate over different and alternative options for Parliamentary constituencies. This in turn may have a negative effect on the final recommendations that the Commission puts to the Government in September 2018.

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 instance you should write to:

The Secretary to the Boundary Commission for Wales,
Ground Floor,
Fitzalan Court,
Cardiff, CF24 0BE, 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

A handwritten signature in black ink, appearing to read 'Chris Wilcox', written over a horizontal line.

Mr Chris Wilcox
Information Manager