



# Boundary Commission for England

## Annual Report 2017/2018



# Boundary Commission for England

## Membership

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

The Hon. Mr Justice Andrew Nicol, Deputy Chair

Mr David Elvin, QC, Commissioner

Mr Neil Pringle, Commissioner

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# Boundary Commission for England Annual Report 2017/18

## Deputy Chair's report on the Commission's activities 2017/18

My first full year as Deputy Chair of the Commission has seen much progress being made in the 2018 review of Parliamentary boundaries. The first half of the year saw intense work by the commissioners and assistant commissioners in analysing over 25,000 public comments that we received during the initial and secondary consultation periods. Based on what people had told us, we revised over half of our initial proposals – showing the real value to the boundary-setting process of our public consultations. A further 10,000 representations were received during the consultation on our revised proposals from October to December 2017, the last consultation period of the 2018 boundary review. We are now working towards our final recommendations, which we will report to Government in September this year. At that point, our work on the boundary review concludes, and the Government is then responsible for laying our report before Parliament, and for introducing the necessary legislative measure that would implement our recommendations.

While the work of the Commission remains on course, this year has also seen further political speculation about the boundary review process. Parliament's Public Administration and Constitutional Affairs Committee ran an inquiry into the future of the boundary-setting process, and called us (along with the three other boundary commissions covering the other parts of the UK) to give evidence. At the same time, a Private Member's Bill that would have the effect of stopping the current review and re-starting one under new rules has progressed to Committee stage in the House of Commons, but has not yet gone further. We continue, as we must, to follow the existing statutory scheme and will abide by our current legislative duties. We are on track to report our final recommendations to Government in September.

**Andrew Nicol**

Deputy Chair

27 June 2018

# 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 is the Honourable Mr Justice Nicol (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 adheres to the Cabinet Office's code of conduct for board members of public bodies. It also maintains a Register of Members' Interests, which is updated at least 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 officials 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 2017-18.

## Assistant Commissioners

- 9 The Commission may arrange for Assistant Commissioners to be appointed by the Secretary of State to assist it with its work. In the 2017-18 year, the Commission was assisted by 20 Assistant Commissioners from April to September. During this time, Assistant Commissioners assessed the evidence received during the initial and secondary consultation stages of the boundary review, and made recommendations to the Commission on any revisions necessary to the initial proposals. In September 2017, nine of the Assistant Commissioners were reappointed for one year but did not conduct any further work for the Commission. The Assistant Commissioners are paid a daily rate set by the Treasury when they work for the Commission.

## The Secretariat

- 10 The Secretary to the Commission was Mr Sam Hartley throughout the 2017-18 year. 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 2017/18

## Overall objective

- 18 The Commission's clear focus this year has been concluding the public consultation stages of the review. It is a busy financial year in the 2018 Review cycle, as it includes the analysis of all the responses to the initial proposals (received during both the initial and secondary consultation), taking those into account during the development of revised proposals, then assessing the further responses received during the final public consultation on those revised proposals.

## Main objectives for 2017/18, with outcomes

- 19 The main objectives for the Commission during the financial year 2017/18 were to:-
- **By the end of July 2017, to agree revised proposals for new constituencies, taking into account the public responses to the initial and secondary consultation.** This was completed on time, with revised proposals being agreed by the Commissioners at dedicated meetings 10-18 July 2017.
  - **By early 2018, to have conducted a comprehensive eight-week statutory consultation on the revised proposals.** The public consultation was delivered as planned, between 17 October and 11 December 2017. The consultation was supported by a comprehensive and 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 22 February 2018). Total representations received in this consultation were 10,489.
  - **By the end of January 2018, to have submitted 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.** The Commission formally submitted its annual report of progress – covering the calendar year of 2017 – to the Speaker of the House of Commons on 23 January 2018.
  - **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.** The Commission met formally on 4 May 2017 and 22 February 2018, to discuss general progress and to make policy and strategic operational decisions. It additionally met on four occasions 10-18 July 2017, to take detailed decisions on what its revised proposals should be. The Commission was represented by a Commissioner, the Secretary and the Head of Reviews at the Annual Meeting of UK Boundary Commissions to discuss matters of common interest, held this year in Cardiff on 17 November 2017.

# Budget and expenditure 2017/18

20 The Commission agreed an initial budget of **£2,040,000** with the sponsor Department, which it considered would be necessary to deliver the substantive elements of the 2018 Review during the 2017-18 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 £376,987.

## Staff complement (Full Time Equivalent)

Grade	Apr-Jun 2017		Jul-Sep 2017		Oct-Dec 2017		Jan-Mar 2018	
	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	8	7	7
Band B1	5	5	5	4	5	2	5	1
Band C	1	1	1	1	1	1	1	1
Temp staff	0	0	0	0	0	0	0	0
<b>Total</b>	<b>16</b>	<b>16</b>	<b>16</b>	<b>15</b>	<b>16</b>	<b>14</b>	<b>16</b>	<b>12</b>

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

## 2017/18 Budget and expenditure by subhead (figures supplied by Cabinet Office)

Budget component	Budget 17/18 (£)	Expenditure (£)*	Variance (£)
Pay and related costs	756,974	745,108	11,866
Travel and subsistence costs	15,900	19,606	-3,706
Accommodation costs	66,000	-9,751	75,751
IT and equipment costs	363,706	259,411	104,295
Personnel related costs	1,200	1,219	-19
Other professional services	15,000	0	15,000
Marketing and media	703,000	601,552	101,448
Other goods and services	108,220	68,160	40,060
Training and development	8,000	1,424	6,576
Conferences and hospitality costs	2,000	258	1,742
Contractors	0	1,163	-1,163
Miscellaneous expenditure	0	61	-61
Recharge of pro rata costs of consultation website to BCS and BCW		-25,198	25,198
<b>Total</b>	<b>2,040,000</b>	<b>1,663,013**</b>	<b>376,987**</b>

\*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 2018/19

## Programme

- 22 The 2018/19 financial year should see the Commission conclude the 2018 Review and hand its final recommendations from that to the Government. The budget provisionally agreed with the Cabinet Office is **£580,295** and the Commission expects to:
- By the end of May 2018, hold formal meetings to make decisions on what the final recommendations will be.
  - By the end of June 2018, approve draft text of the final report of the 2018 Review.
  - By the end of July 2018, conclude quality assurance checks on the final reports and associated data.
  - In September 2018, formally submit the final report and recommendations from the 2018 Review to the Government. Publication will follow as soon as the report has been laid before Parliament by the Government (as required by the legislation).
  - By March 2019, produce an evaluation report on the administration of the 2018 Review, highlighting areas that could be improved and instances of good practice.
  - During the course of the year, aim to hold at least two formal meetings to assess progress with the Review and make key decisions, and also be represented at the Annual Meeting of UK Boundary Commissions.

## Budget for 2018/19 by subhead

Budget component	Budget 18/19 (£)
Pay and related costs	397,000
Travel and subsistence costs	1,700
Accommodation costs	100
IT and equipment costs	99,040
Personnel related costs	800
Other professional services	0
Marketing and media	53,000
Other goods and services	25,900
Training and development	2,755
Conferences and hospitality	0
Contractors	0
Miscellaneous expenditure	0
<b>Total</b>	<b>580,295</b>



