



Boundary Commission for England

Annual Report
2021/22



Boundary Commission for England

Membership

The Speaker, the Rt. Hon Sir Lindsay Hoyle MP
(ex-officio Chairman)

The Hon. Mr Justice Peter Lane, Deputy Chair

Colin Byrne, Commissioner

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Contents

Foreword from the Deputy Chair	1
Information about the Boundary Commission for England	2
The Sponsor	2
The Commission	2
Membership of the Commission	3
Code of Practice	3
Assessors	4
Assistant Commissioners	4
The Secretariat	4
Statutory duties	5
Objectives and outcomes for 2021/22	7
Overall objective	7
Main objectives and outcomes for 2021/22	7
Budget and expenditure for 2021/22	10
Staff complement	10
Budget and expenditure by subhead for 2021/22	11
Monitoring expenditure	11
Outline work programme for 2022/23	12
Programme	12
Budget by subhead for 2022/23	13

Foreword from the Deputy Chair

The 2021/22 year has seen significant delivery of parts of the 2023 Review of Parliamentary constituencies. During the course of the year we held two of the statutory public consultations. The first was the consultation on the initial proposals, to which we received over 34,000 written responses. I was delighted that of these over 90% were received via the online consultation platform. In February 2022 we published all these comments and consulted on them for six weeks. We also held 32 in-person public hearings across England during the consultation. This was a significant achievement given the Covid-19 pandemic. It was very gratifying that over 1,000 people provided oral representations at the hearings. I'm most grateful to the Secretariat for ensuring the hearings were successful and went smoothly. We also received over 10,000 written consultation responses during this period, which again is a superb response.

While recognising the challenge of delivering the Review during the course of the pandemic, we also experienced some internal change as the sponsor of the Commission transferred from the Cabinet Office to the Department for Levelling Up, Housing and Communities as part of a Machinery of Government change. I'm grateful to the efforts from all parties to ensure a smooth transition of the Secretariat.

We have been working hard with our Assistant Commissioners to consider all 45,000 consultation responses received, interrogate the evidence and decide whether we should revise our initial proposals in light of the comments. We will consult on any revisions later this year, likely in the autumn, which means we remain on track to submit our final recommendations to the Speaker of the House of Commons by July 2023, as required by the legislation.

Sir Peter Lane
Deputy Chair
7 October 2022

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 Department for Levelling Up, Housing and Communities (DLUHC). The Secretariat staff and corporate functions such as Finance, and HR support are all provided by DLUHC, which also oversees the corporate governance arrangements for the Commission. At present the Commission is transitioning its IT arrangements from the Cabinet Office (its previous sponsor) to DLUHC systems.

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 Speaker of the House of Commons. It is the Speaker's statutory duty to lay the reports before Parliament and for the Government to present an Order to Privy 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 Peter Lane (appointed on 23 June 2020, for a term of three years). The two other Members of the Commission are Mr Colin Byrne and Mrs Sarah Hamilton (both appointed for a term of five years, to 2024).
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.

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 consider 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. The Commission appointed 18 Assistant Commissioners for the 2023 Review, following an open public recruitment exercise, which started in the latter part of 2020/21. However, owing to two resignations, 16 Assistant Commissioners undertook substantive work on the 2023 Review.

The Secretariat

11. The Secretary to the Commission is Tim Bowden. 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 (currently every eight years) with recommendations to the Speaker of the House of Commons, 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 and Parliamentary Constituencies Act 2020 (both which amended the Parliamentary Constituencies Act 1986), the Commission allocates 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 2 March 2020 (in the case of the 2023 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 an eight week period in which to submit representations of support or objection. The Commission is then required to make the representations submitted during the eight week period available so that interested parties can consider them and submit counter-representations during a further six week period. During the secondary consultation period, the Commission holds public hearings, so that oral submissions can be made to it as well as written representations. Once the six 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 four 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 recommendation following an active review to the Speaker of the House of Commons at a time specified in the Act. For the 2023 Review, this is specified before 1 July 2023, with subsequent reports to be submitted every eight years thereafter.

Objectives and outcomes for 2021/22

Overall objective

18. The Commission's focus this year has been on delivering the first substantive consultations on the 2023 Review. This includes the development of the Initial Proposals, consultation on them and a secondary consultation on all the comments received. During this latter consultation public hearings are also convened. It is therefore the busiest financial year in the 2023 Review.

Main objectives and outcomes for 2021/22

19. The main objectives for the Commission during the financial year 2021/22 were:

- **By the end of May 2021, develop all hard copy and electronic documentation for publication of initial proposals.**

Following the Commissioners' sign-off of initial proposals in March, subsequent drafting, agreement and printing of the formal reports were completed on time.

- **By the end of May 2021, 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 local authorities and wards.**

Following extensive development and user testing, our online consultation portal was in place and ready to be used in a live environment by the end of May. This was launched successfully along with the initial consultation on 8 June 2021.

- **By the end of July 2021, 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 campaign during February and March 2021, receiving 219 applications and interviewing 46 applicants. Recommendations were sent to the Cabinet Office (where at that time, this Minister was responsible for making these appointments) in September 2021. 18 appointments were subsequently made, with a start date of the beginning of October 2021 and a term of office of one year.

- **By the end of August 2021, conduct a comprehensive eight-week statutory consultation on the initial proposals.**

The initial consultation was delivered between 8 June to 2 August 2021. The consultation was supported by a complimentary advertising and publicity campaign, designed to raise awareness and encourage participation in the review. An evaluation of this campaign is included in the published papers of the Commission meeting on 22 November 2021. In response to this consultation, the Commission received over 34,000 written representations.

- **By the end of February 2022, have prepared for publication all written responses received in the consultation on initial proposals.**

All 34,000 representations received during the initial consultation were published on 7 February 2022. They were published two weeks in advance of the six week secondary consultation which ran from 22 February to 4 April.

- **Organise and aim to deliver public hearings in each region by the end of spring 2022.**

During the six week secondary consultation the Commission convened 32 public hearings across England as follows: three in the Eastern region (Cambridge, Southend, Ipswich), three in the East Midlands (Nottingham, Leicester, Northampton), five in London (Westminster, Havering, Ealing, Merton, Bromley), two in



the North East (Newcastle, Middlesbrough), five in the North West (Manchester, Liverpool, Chester, Preston, Kendal), four in the South East (Crawley, Portsmouth, Reading, Ashford), four in the South West (Exeter, Gloucester, Bath, Dorchester), three in the West Midlands (Birmingham, Stafford, Worcester) and three in the Yorkshire and the Humber region (Leeds, Hull, Northallerton). The Commission received over 1,000 oral representations at the public hearings. The representations made at the hearings were published on the Commission YouTube webpage during the course of the secondary consultation.

- **By the end of March 2022, 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 2021 - to the Speaker of the House of Commons on 27 January 2022. The report was also published on the Commission website.

- **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 considered it necessary to hold four formal meetings during the 2021/22 financial year. The first meeting on 21 May agreed a number of substantive policies and the publication of the initial proposals. The second on 14 September agreed its approach to the public hearings and an update on the first consultation. The third on 22 November agreed a number of detailed policies and finally the fourth on 6 January 2022 finalised undertaking the public hearings. The Commission was also represented by the Secretary at the Annual Meeting of UK Boundary Commissions to discuss matters of common interest, held virtually on 26 January 2022.

Budget and expenditure for 2021/22

20. The Commission agreed a budget of **£2,182,718** with the sponsor Department, which it considered would be necessary to deliver the substantial elements of the 2023 Review during the 2021/22 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 (prior to the departmental change). Given the Machinery of Government move it has been very challenging to reconcile the expenditure of the Commission; this is somewhat owing to the transition of the finance function between the Cabinet Office and DLUHC. The Commission had a slight underspend of approximately **£30,000**.

Staff complement*

Grade	Apr-Jun 2021		Jul-Sep 2021		Oct-Dec 2021		Jan-Mar 2022	
	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 SEO	1	1	1	1	1	1	1	1
Band HEO	4	4	4	4	4	4	4	4
Band EO	9	9	9	9	9	9	9	9
Band AO	1	1	1	1	1	1	1	1
Temp staff	0	0	0	0	0	0	0	0
Total	18	18	18	18	18	18	18	18

*Full-time equivalent. Figures shown represent the position as at the end of the relevant financial quarter.

Budget and expenditure by subhead for 2021/22

Budget component	Budget 21/22 (£)	Expenditure (£)*	Variance (£)
Pay and related costs	807,012	893,955	-86,943
Travel and subsistence costs	163,191	139,750	23,441
Accommodation costs	109,500	113,443	-3,943
IT and equipment costs	331,686	335,710	-4,024
Staff related costs	0	5,250	-5,250
Other professional services	2,000	1,700	300
Marketing and media	592,120	595,130	-3,010
Other goods and services	170,209	115,607	54,602
Training and development	7,000	2,300	4,700
Conference and hospitality	0	545	-545
Miscellaneous expenditure	0	476	-476
Rental income***	0	-52,760	52,760
Total	2,182,718**	2,151,106	31,612

Figures supplied by Cabinet Office and the Department for Levelling Up, Housing and Communities following the Machinery of Government change.

*Rounded up or down to the nearest pound.

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

***IT costs reimbursed by Boundary Commission for Scotland and Boundary Commission for Wales for a shared IT service.

Monitoring expenditure

21. The Secretariat maintained information that recorded by date, topic, sub-heading, and component, every item of expenditure. Each month, the Secretariat met with officials from the Cabinet Office central finance team (latterly with DLUHC), 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 2022/23

Programme

22. The 2022/23 financial year will be another busy period during the 2023 Review. It includes detailed analysis of the responses to the initial and secondary consultations, the development of the revised proposals, the consultation on those proposals and the development of the final recommendations. The budget agreed with the DLUHC is **£1,808,000** and the Commission expects to:
- Develop revised proposals for new constituencies, to be signed off by the Commission by the end of August 2022
 - In the autumn of 2022, conduct the statutory four week consultation on the revised proposals
 - By the end of March 2023, be completing the analysis of responses to the revised proposals consultation and formulating the final recommendations
 - By the end of January 2023, 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
 - 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.

Budget by subhead for 2022/23

Budget component	Budget 22/23 (£)
Pay and related costs	897,000
Travel and subsistence costs	5,000
Accommodation costs	115,000
IT and equipment costs	310,000
Staff related costs	5,000
Other professional services	33,000
Marketing and media	312,000
Other goods and services	100,000
Training and development	10,000
Conference and hospitality	16,000
Miscellaneous expenditure	5,000
Total	1,808,000

