

OFFICIAL

**BOUNDARY COMMISSION FOR
ENGLAND**



ANNUAL REPORT

2023-2024

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 (until 22 December 2023)
The Hon. Mr Justice Jonathan Swift, Deputy Chair from (16 February 2024)

Colin Byrne, Commissioner
Sarah Hamilton, Commissioner

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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.

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 the 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 Jonathan Swift (appointed on 16 February 2024), for a term of three years. His predecessor, Mr Justice Peter Lane was appointed on 23 June 2020, for a term of three years, which was extended by six months to 22 December 2023. The two other Members of the Commission are Mr Colin Byrne and Mrs Sarah Hamilton, both appointed for a term of five years, to June 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. The Commission did not require the presence of the Assessors at its meetings during 2023-24.

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 their 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. In 2023-2024, Assistant Commissioners were not required to assist the Commission.

The Secretariat

11. Following the completion of the Review in June 2023, all members of the Secretariat subsequently left post, apart from one person, and the position of Secretary to the Commission is currently vacant. However, assistance has been provided by Tom Jenkins of Democracy and Boundary Commission Cymru, who has assumed the role of Acting Secretary. 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 Acting Secretary 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 of 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. In the case of the 2023 review, the electorates we were required to use were for the period ending 2 March 2020, and were 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, the taking into account of 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 the 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 was specified to be before 1 July 2023, with subsequent reports to be submitted every eight years thereafter.
18. The 2023 review of Constituencies formally came to an end with the submission of the Commission's report of recommendations to Parliament on 27 June 2023. The recommendations were considered by the Privy Council and the new constituencies were enacted on 29 November 2023, following Royal Assent.

Objectives 2023/24

Overall objective

19. The Commission's clear focus this year was on formulating revised proposals, consulting on them, and beginning the work on determining final recommendations for new Parliamentary constituencies. It was a busy financial year in the 2023 Review cycle, as it included the analysis of all the responses to the initial proposals (received during both the initial and secondary consultations), 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 2023/24, with outcomes

20. The main objectives for the Commission during the financial year 2023/24 were:
 - To submit to the Speaker of the House of Commons final recommendations for all the constituencies in England by 1 July 2023. Final recommendations were submitted on 27 June 2023.
 - During the course of the year the Commission aimed to hold one formal meeting to evaluate the success of the review with regard to its communications strategy, and to consider lessons that had been learnt. A meeting was held on 18 July 2023.
 - By the end of August 2023 to have established a Memorandum of Understanding with the Local Government Boundary Commission for England to establish areas of common interest and a closer working

relationship. The Memorandum of Understanding was agreed in August 2023.

- To attend a meeting of the UK Boundary Commissions in December 2023, where the main items for discussion would be individual reports on the 2023 Review. The meeting, at which the BCE was represented, was held in Edinburgh on 8 December 2023.
- By the end of March 2024, collect Parliamentary electorate data from all local electoral registration officers in England, as at the date of the statutory annual publication of their register. The electoral statistics were compiled by the end of March 2024.

Budget and expenditure 2023/24

21. The Commission agreed a budget of **£1,050,000** with the sponsor Department, which it considered would be necessary to deliver the substantial elements of the 2023 Review during the 2023-24 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 Department for Levelling Up, Housing and Communities (DLUHC) as sponsor Department. The Commission had an underspend of approximately **£679,000**.

Staff complement (Full Time Equivalent)

Grade	Apr-Jun 2023		Jul-Sep 2023		Oct-Dec 2023		Jan-Mar 2024	
	Plan	Actual	Plan	Actual	Plan	Actual	Plan	Actual
SCS	1	1	1	1	1	0	1	0
Band A	2	2	2	2	2	0	2	0
Band SEO	1	1	1	1	1	1	1	1
Band HEO	2	2	2	1	2	0	2	0
Band EO	1	1	1	1	1	0	1	0
Band AO	0	0	0	0	0	0	0	0
Temp staff	0	0	0	0	0	0	0	0
Total	7	7	7	6	7	1	7	1
Figures shown represent the position as at the end of the relevant financial quarter.								

Budget and expenditure by subhead (figures supplied by the Department for Levelling Up, Housing and Communities*)

Budget component	Budget 23/24(£)	Expenditure (£)*	Variance (£)**
Pay and related costs	850,000	230,250	-619,750
Travel and subsistence costs	5,000	2,088	-2,912
Accommodation costs	2000	1,138	-862
IT and equipment costs	310,000	123,712	-186,288
Staff related costs	0	94	94
Marketing and media	115,000	29,778	-85,222
Other goods and services	12,000	-371	12,371
Training and development	15,000	0	-15,000
Conference and hospitality	15,989	910	-15,079
Miscellaneous expenditure	2,480	0	-2,480
Reimbursement from Boundary Commission Scotland & Wales	0	-16,144***	16,144
Total	1,050,000**	371,455	678,545

*Rounded up or down to the nearest pound and inclusive of VAT where this was originally applied by DLUHC in the budget setting process.

**Rounded to nearest pound from 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.

22. The significant underspend was largely the result of members of staff leaving the Commission early following the submission of its recommendations to Parliament in June 2023, lower media costs than anticipated, and the decommissioning of the consultation portal and geographic information system at the end of 2023, following the completion of the 2023 review.

Monitoring expenditure

23. 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 DLUHC 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 2024/25

Programme

24. The work programme for 2024/25 will be:

- With the completion of the 2023 Review, the Commission's sole statutory duty during 2024-2025 will be to keep under review the Parliamentary constituencies in England. This will entail the collection of Parliamentary

electorate data from all local electoral registration officers in England, as at the date of the statutory annual publication of their register, by the end of March 2025.

- By 31 July 2024 to establish a Memorandum of Understanding between the BCE and Democracy and Boundary Commission Cymru, to provide sufficient funding and some staff resources to the Commission during the years of relative inactivity.
- To hold one formal Commission meeting in July 2024, and one before the end of the financial year in 2025.
- To look at the feasibility of carrying out research into areas that will improve the efficiency and effectiveness of the next review.

25. Following the completion of the 2023 Review, the budget for 2024-2025 is minimal. We will continue to assess the budget allocated for pay and related costs (as set out in the table below) should we be in a position to return funds to the Department prior to the end of the financial year.

Budget by subhead

Budget component	Budget 24/25 (£)
Pay and related costs, including Commissioner fees	17,800
Travel and subsistence costs	0
Accommodation costs	0
IT and equipment costs	5,100
Other professional services	0
Other goods and services	100
Miscellaneous expenditure	0
Total	23,000