

Boundary Commission for Wales

Annual Report 2012/13



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BOUNDARY COMMISSION FOR WALES

ANNUAL REPORT 2012/13

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Foreword

In 2011 the Parliamentary Boundary Commission for Wales formally began its 2013 Review of Parliamentary Constituency boundaries following the rules laid out in the Parliamentary Voting System and Constituencies Act 2011. During that year the Commission developed proposals for a revised Parliamentary constituency map of Wales with 30, rather than 40, constituencies which were all within 5% of the UK electoral quota. These initial proposals, which were published in January 2012, started a process of public consultation during which members of the public and other interested parties were invited to comment on the Commission's proposals. During the initial consultation period which ran until the beginning of April 2012, the Commission received over 500 written responses and, in addition, over 100 individuals spoke at five public hearings across Wales.

The Commission published all of the responses received during the initial consultation period on 13 June 2012. There was then a four-week period to allow comments on the responses that had previously been received. Following consideration of all of the representations and the report of the Assistant Commissioners, the Commission's revised proposals were published on 24 October 2012. This began an eight-week period of consultation which ran until 18 December 2012.

Following the appointment of my predecessor, Mr Justice David Lloyd Jones, to the Court of Appeal, I was pleased to be appointed as Deputy Chairman of the Commission from 1 October 2012. I was most grateful to Mr Justice Lloyd Jones, my fellow Commissioners (Mr Paul Loveluck CBE and Professor Robert McNabb), the Commission Secretary (Mr Ben Whitestone) and all staff from the Commission's Secretariat for their assistance in ensuring a smooth transition.

Work continued until January 2013 when, following the passing of an amendment to the Electoral Registration and Administration Bill in Parliament, the Commission issued a statement announcing the cancellation of the 2013 Review.

During the final months of the financial year the Secretary, Mr Ben Whitestone, produced an excellent report that considered the 2013 Review and gave an assessment of what went well and what could be improved in respect of issues such as administration delivery that were the responsibility of the Commission. The Commission has fully endorsed this report and its recommendations which will be adopted for future reviews.

The Hon. Mr Justice Wyn Williams
Deputy Chairman

1. Introduction

The Sponsor

- 1.1** The Boundary Commission for Wales is an advisory Non-Departmental Public Body sponsored and wholly funded by the Cabinet Office (CO). The Commission submits reports to the Secretary of State and it is the Secretary of State's statutory duty to lay them before Parliament. Where the report recommends that alterations are required to Parliamentary constituency boundaries the Secretary of State must also lay before Parliament the draft of an Order in Council for giving effect to the Commission's recommendations. The Lord Chancellor appoints the Deputy Chairman, the Secretary of State appoints one of the members of the Commission, the Assistant Commissioners, and the Secretary to the Commission (see Membership below).

The Commission

- 1.2** The Commission is constituted under section 2 and schedule 1 of the Parliamentary Constituencies Act 1986 (as amended). It is an independent, non-political, and totally impartial body. The Commission does not take political factors into account and the effects of the Commission's recommendations on future voting patterns are not considered.
- 1.3** With effect from 1 January 2002, officials of the Secretariat to the Local Government Boundary Commission for Wales (LGBCW), located in Cardiff, have also staffed the Secretariat of the Boundary Commission¹. Although accommodation and some staff resources are shared the Secretariats of the two Commissions operate independently from each other.

Membership

- 1.4** The Speaker of the House of Commons is the ex-officio Chairman of all four Parliamentary Boundary Commissions in the United Kingdom. The appointment of the Speaker emphasises the independence, impartiality, and non-political nature of the Commissions. The Speaker plays no part in the conduct of reviews. The Deputy Chairman, who presides over the meetings, is a High Court Judge: the Honourable Mr Wyn Williams. The Members are Mr Paul Loveluck and Professor Robert McNabb.

¹ With the exception of the Secretary from December 2011 - see membership.

- 1.5** The Commissioners are part-time appointees who meet whenever the work programme demands. Since the passing of the Boundary Commissions Act 1992, the Commission Members (not including the Deputy Chairman) have been paid a daily fee agreed by the Sponsor Department with HM Treasury for work carried out on behalf of the Commission and, with the Deputy Chairman, are entitled to recover any expenses (such as travel and subsistence) incurred on Commission work.
- 1.6** The Commission has established both a Code of Practice and a Register of Members' Interests, which are updated annually. Copies of these documents are available on request.
- 1.7** The Commission has two statutory assessors. One is the Statistics Board (represented by the National Statistician), and the other is the Director General of Ordnance Survey. Deputies represent both at Commission meetings.
- 1.8** The Secretary of State also appoints a Secretary to the Commission. For the period of this Report this was Mr Ben Whitestone. The Secretary is formally employed by the Cabinet Office.
- 1.9** The role of the Secretariat is to service and assist the Commissioners in the conduct of their reviews and in executing their decisions. The Secretariat is based at the offices of the Secretariat to the LGBCW in Cardiff and liaison about staffing and accommodation takes place with the Welsh Government.

Statutory Duties

- 1.10** The Commission's primary statutory function is to keep under continuous review the distribution of seats at Parliamentary elections, to conduct regular reviews of the boundaries of Parliamentary constituencies and to make reports with recommendations to the Secretary of State in accordance with the provisions of the Parliamentary Constituencies Act 1986 (as amended).
- 1.11** The Parliamentary Voting System and Constituencies Act 2011 made substantial changes to the legislation governing distribution of Parliamentary seats. On 4 March 2011 the Boundary Commission for Wales announced the start of the 2013 Review of Parliamentary constituencies in Wales which would follow the changes to legislation.
- 1.12** The Act also removed the link between the Parliamentary constituencies and those of the Welsh Assembly. This has the effect that, until new legislation is put into place, there is no mechanism for the regular review of the Welsh Assembly constituencies.

2. Objectives

General Objective

- 2.1** To keep under continuous review the representation of Wales in the House of Commons and in the National Assembly for Wales².

Specific Objectives for 2012/13

- 2.2** To progress the 2013 Review of Parliamentary Constituencies pursuant to the Parliamentary Voting System and Constituencies Act 2011.
- 2.3** To ensure that all work of the Boundary Commission for Wales is carried out with a view to providing the best possible value for money.
- 2.4** To ensure that all interested stakeholders are effectively engaged in order that they are fully informed about Parliamentary constituency reviews and are able to contribute to the process of review.

Welsh Language Scheme

- 2.5** The Commission operates a fully bilingual policy. All official documentation published by the Commission will be available in Welsh and English. The Commission welcomes correspondence from individuals and organisations in Welsh and English.

² See paragraph 1.12

3. The 2013 Review of Parliamentary Constituencies

Progress with the 2013 Review

3.1 On 4 March 2011 the Boundary Commission for Wales announced the start of the 2013 review of Parliamentary constituencies in Wales with the publication of a newsletter that summarised the changes to legislation and the effect this would have on Parliamentary constituencies in Wales (i.e. reduction from 40 to 30 constituencies and every constituency to be within 5% of the UK quota).

Initial Proposals

3.2 On 11 January 2012 the Commission published its Initial Proposals for the 2013 Review. This was the beginning of a 12 week consultation process where the Commission asked the people of Wales to help shape the revised Parliamentary constituencies by responding in support of, or in objection to, the Commission's proposals. From 11 January to 4 April 2012 the Commission received representations on its initial proposals, both in writing and orally at five public hearings in Swansea, Cardiff, Wrexham, Caernarfon and Llandrindod Wells.

3.3 During the initial consultation period the Commission received around 500 written representations, which reflected the views of over 4000 individuals and organisations, and heard from over 100 speakers at its public hearings.

3.4 On 13 June 2012 the initial representations and transcripts of the public hearings were published in Welsh and English and a period of four weeks followed during which written comments may be made on the initial representations. The launch of this second consultation period also saw the Commission launch a new website, which included a searchable database providing easy access to the published consultation responses. The Commission received a further 200 written representations during the second consultation period which ended on 10 July 2012.

3.5 The representations that the Commission received during the first and second consultation periods were useful and from the responses received it was clear to see the areas of the Commission's initial proposals that were supported and those which were opposed. A variety of individuals and organisations responded offering a clear local perspective and putting forward the views of communities from across

Wales. The Commission asked three Assistant Commissioners to consider all of the representations made and make recommendations to the Commission as to how it may revise its proposals as a result. This report was made by the Assistant Commissioners in August 2012.

Revised Proposals

- 3.6** Following the two stages of consultation on the initial proposals the Commission considered all of the representations that were made and the recommendations of the Assistant Commissioners and decided to revise the composition of 20 of the 30 constituencies and 14 of the constituency names; some of the changes were substantial. The Commission's revised proposals were published on 24 October 2012. This began an eight-week period of consultation which ran until 18 December 2012.
- 3.7** The publication of revised proposals brought the Boundary Commission for Wales in line with the timetables of the other UK Boundary Commissions, having recovered the four month delay that occurred in 2011 due (as reported in our 2011/12 Annual Report) to the resignation of the two Commissioners due to reasons unrelated to the work of the Commission.
- 3.8** The Commission's Revised Proposals report outlined a change in the Commission's previous policy regarding the naming of constituencies. Having given careful consideration to the legal position and the views made in representations to the Commission, the Commission considered that it is appropriate for each constituency in Wales to have alternative names in English and Welsh. In its revised proposals report, therefore, alternatives were provided in Welsh where the primary constituency name was in English and in English where the primary constituency name was in Welsh. Where a constituency name was bilingual, for example Llanelli, the provision of an alternative name was not required.

Cancellation of Review

- 3.9** Following the passing of an amendment to the Electoral Registration and Administration Bill in Parliament, the Commission issued a statement on 31 January 2013 announcing the cancellation of the 2013 Review.

Review Closure

- 3.10** Following the cancellation of the review, the Secretary, Mr Ben Whitestone, undertook a review of the 2013 Review assess what management and other processes went well or could be improved in order to pass on any lessons that can usefully be applied to future reviews. A report was produced that included a number of recommendations which were endorsed by the Commission. It was noted that the requirement of the Act, that every new constituency should have an electorate within 5% of the UK quota, meant for Wales that

some associations of longstanding had to be set aside and some less than obvious associations had to be made.

The Next Steps

3.11 The amendment to the Electoral Registration and Administration Bill makes a change to the Parliamentary Voting System and Constituencies Act 2011. This amendment changes the date which the Commission is required to report its recommendations to Parliament from 'before 1 October 2013' to 'not before 1 September 2018 and before 1 October 2018'. The Commission will therefore work towards undertaking a further review of Parliamentary constituencies that will be completed in time to report its recommendations to the timescale stated in the legislation, taking into account any further decisions by Parliament on this matter.

4. Budget and Expenditure

Expenditure April 2012 to March 2013

4.1 Table 1 compares the actual expenditure with the budget, during the financial year covered by this report.

Table 1 – Budget and Expenditure

Budget Component	Budget (£)	Actual (£)
Staff Salaries	150,000	81,381
Commissioners and Assistant Commissioners Fees	68,000	36,429
Office Accommodation	40,500	44,357
Travel and Subsistence	5,000	543
Hospitality	500	400
IT and Telecoms	15,500	15,156
Other Review Costs*	144,500	55,250
Total	424,000	233,516

*includes public hearing costs, training, postage, advertising, printing, transcription and translation.

4.2 Table 1 shows that for the 2012/13 financial year the Boundary Commission under-spent on its budget by £190,484. The main reasons for this under-spend were:

- The 2013 Review was the most extensive review in the history of the Boundary Commission (it was established in 1944) meaning that it was difficult, at the start of the process, to estimate the budget that would be required. An element of contingency was therefore built in to the overall budget but was not drawn upon to any great extent;
- The 2013 Review was cancelled at the end of January 2013; and
- The Commission sought to achieve the maximum possible value for money in all of its work.

5. Work Programme for 2013/14

5.1 As the Boundary Commission for Wales shares its Secretariat with the Local Democracy and Boundary Commission for Wales³, the staff will be mainly engaged on review work of local government boundaries and electoral arrangements. However within the terms of its general objectives to keep under continuous review the representation of Wales in the House of Commons, the Commission's specific objectives in 2013/14 will be:

- To maintain an office for the Commission in order to handle enquiries and to undertake statutory duties;
- To ensure that all work of the Commission is carried out with a view to providing the best possible value for money; and
- To ensure that the knowledge and expertise within the Commission is retained.
- To implement the changes to the Commission's operation as recommended in the Review Closure report.

In addition, the Commission will monitor the outcomes of the recommendations of the Commission on Public Service Governance and Delivery and consider the implications for the work of the Commission.

Welsh Language Scheme

5.2 The Commission operates a fully bilingual policy. All official documentation published by the Commission will be available in Welsh and English. The Commission welcomes correspondence from individuals and organisations in Welsh and English.

Budget

5.3 To enable the objectives listed at 5.1 above to be met, the Commission has been allocated a budget of £100,000 for the financial year 2013/14.

³ The Local Government (Democracy) (Wales) Act 2013 changed the name of the Local Government Boundary Commission for Wales to the Local Democracy and Boundary Commission for Wales.

