

Boundary Commission for Wales

Annual Report 2016/17



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BOUNDARY COMMISSION FOR WALES

ANNUAL REPORT 2016/17

September 2017

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Foreword

I am pleased to present the Annual Report of the Boundary Commission for Wales for the financial year 2016-17.

The main activities during 2016-17 were centred around the 2018 review of parliamentary constituencies the formal start of which we announced on 23 March 2016. We published our initial proposals in September 2016 and during the following consultation period received a number of helpful and informative representations. The initial representations together with those that we received during the secondary consultation period which ended in March 2017, will inform our consideration of possible changes to our initial proposals. We anticipate announcing the outcome of our consideration in the autumn of 2017.

The Hon. Mr Justice Lewis
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 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 Democracy and Boundary Commission for Wales (LDBCW)¹, located in Cardiff, have also staffed the Secretariat of the Boundary Commission. Although accommodation and some staff resources are shared the two Commissions operate independently from each other.

Membership

- 1.4** The Speaker of the House of Commons is the ex-officio Chair 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 Chair, who presides over the meetings, is a High Court Judge: the Honourable Mr Justice Lewis. The Members are Mr Paul Loveluck and Professor Robert M^cNabb.
- 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

¹ The name was changed from the Local Government Boundary Commission for Wales by the Local Government (Democracy) (Wales) Act 2013.

Deputy Chair) 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 Chair, 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. Both are represented by designated deputies at Commission meetings.
- 1.8** The Secretary of State also appoints a Secretary to the Commission. Under the joint Secretariat arrangements the Secretary, Mr Steve Halsall is also the Chief Executive of the LDBCW.
- 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 LDBCW in Cardiff and liaison about staffing and accommodation takes place with the Welsh Government. This working relationship is covered by a memorandum of understanding between the two Commissions and their respective sponsor bodies

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 the distribution of Parliamentary seats.
- 1.12** The Act also removed the link between the Parliamentary constituencies and those of the National Assembly for Wales. This has the effect that, until new legislation is put into place, there is no mechanism for the regular review of the National Assembly for Wales constituencies.
- 1.13** The Electoral Registration and Administration Act 2013 amended the Parliamentary Voting System and Constituencies Act 2011. This changed 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'.

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 Objective for 2016/17

- 2.2** The objectives for the Commission during the 2016-17 financial year were:

- By the end of July 2016, to publish the Commission's formal 'Guide to the 2018 Review', setting out in detail the legislation, procedure and the Commission's policies for the conduct of the review;
- By the end of July, to 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;
- By the end of August 2016 to develop all hard copy and electronic documentation for publication of the initial proposals;
- By the end of August 2016, to 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 regions, local authorities, wards and polling districts;
- Develop initial proposals for new constituencies to be published in September 2016;
- By the end of December 2016, to have conducted a comprehensive 12-week statutory consultation on the initial proposals, including the required public hearings in every region of Wales;
- By the end of January 2017, to 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;
- By the end of March 2017, to have prepared for publication all written and oral responses received in the consultation on initial proposals; and
- During the course of the year the Commission will aim to hold three formal meetings to assess progress with the Review and will also be represented at the Annual Meeting of UK Boundary Commissions.

² See paragraph 1.12

Welsh Language Scheme

- 2.3** 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.

3. Outcomes

Information Booklet

- 3.1** A Guide to the 2018 Review, setting out in detail the legislation, procedure and the Commission's policies for the conduct of the review, was published on 28 June 2016.

Assistant Commissioners

- 3.2** In conjunction with the Cabinet Office, arrangements were made for three Assistant Commissioners to be appointed from 1 September 2016 following a recruitment process. A fourth Assistant Commissioner was appointed as reserve in case of unforeseen absence during the period of public hearings.

Initial Proposals

- 3.3** Initial Proposals were agreed by the Commission at a meeting in May 2016. An Initial Proposals Report was drafted and agreed at a meeting in July 2016. The Initial Proposals were published on 13 September 2016 on the same day as the Boundary Commission for England published their initial proposals. This joint launch, in conjunction with the work undertaken by our public relations contractors, Working Word, resulted in a higher level of media interest in comparison with the previous review.

Consultation Portal

- 3.4** The on-line consultation portal, a joint project with the Boundary Commission for England and the Boundary Commission for Scotland, was developed with the selected contractor, Informed Solutions, in preparation for the start of the initial consultation period.

Initial Consultation

- 3.5** The initial 12-week consultation period ran from the date of publication of our Initial Proposals on 13 September 2016 until 5 December 2016. During this period the Commission received 503 written representations.

Taking into account the petitions that were received this represented the views of 1,277 individuals. During October and November 2016, public hearings were held at five venues across Wales: Carmarthen, Bangor, Cardiff, Llandrindod Wells and Wrexham. A total of 76 individuals spoke at these public hearings.

Annual Report on Progress

- 3.6** In January 2017, the Commission presented to Parliament a Progress Report on the 2018 Review of Parliamentary Constituencies in Wales as required by legislation.

Secondary Consultation

- 3.7** All of the written representations and the transcripts of the public hearings were processed and published on 28 February 2017 on the Commission's consultation portal. This marked the beginning of the secondary consultation period which ran until 27 March 2017. During this secondary consultation period a further 289 representations were received.

Meetings

- 3.8** There were two meetings of the Commission during the financial year. In addition two Commissioners and the Secretary met with colleagues from the other UK Boundary Commissions in December 2016 to discuss new developments and the implementation of operational improvements. Two Commissioners also attended public hearings as observers.

Welsh Language

- 3.9** The Commission's annual report on the operation of the Welsh Language Scheme was submitted to the Welsh Language Commissioner.

Training

- 3.10** Essential training courses that members of staff are required to attend have continued this year and include: Complaints Handling, Equality and Diversity, Health and Safety, Manual Handling, Information and Record Management, Welsh Language Awareness, Welsh Language Entry, Payroll, Facilities Management, Excel, Sustainable Development,

Performance Management, Project Management, Finance Skills and Geographical Information System Software training. Welsh Language coaching has been given on an informal basis to non Welsh speaking staff. Arrangements are being made for Awareness of Welsh Language training for all staff.

Information

3.11 The Commission makes as much information publically available as is practicable through the web site (www.bcomm-wales.gov.uk) and the consultation portal (www.bcw2018.org.uk). Requests for information that is not available on the web site are responded to. The Commission has set a target of 15 days to respond to such requests. In 2016-17 we received 15 requests for information all of which were responded to within 15 days. This compares to 24 requests received in 2015-16.

4. Budget and Expenditure

Expenditure April 2016 to March 2017

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 | 165,100 | 165,100 |
| Commissioners and Assistant Commissioners Fees | 57,000 | 35,870 |
| Office Accommodation | 31,000 | 26,954 |
| Travel and Subsistence | 13,000 | 12,549 |
| Hospitality | 400 | 211 |
| IT and Telecoms | 46,000 | 44,194 |
| Other Review Costs* | 187,500 | 120,961 |
| Total | 500,000 | 405,839 |

*includes media and advertising, training, postage, printing and translation.

4.2 Table 1 shows that for the 2016-17 financial year the Boundary Commission under-spent on its budget by £94,161. The main reasons for this under-spend were:

- Media and Advertising costs were significantly reduced by the Commission's decision not to place public notices in newspapers to publicise the Initial Proposals and Public Hearings. Instead the Commission utilised digital advertising in major Welsh media outlets, such as Wales Online, together with radio advertising and promoted social media.
- The Commissioners Fees being reduced because of fewer meetings being held due to work being reviewed and agreed electronically.

Member's Fees and Expenses

4.3 During 2016-17 the following fees and expenses were claimed by Commission Members:

| Member | Fees | Expenses |
|---------------|-------------|-----------------|
| Mr P Loveluck | £6,066 | £537 |
| Prof R McNabb | £3,033 | £159 |

5. Work Programme for 2017/18

5.1 As required by legislation, the Boundary Commission for Wales is undertaking a review of Parliamentary constituencies. The Commission's specific objectives in 2017/18 will be:

- By the end of July 2017, to receive the Assistant Commissioners report and to consider the report's recommendations in conjunction with the representations received during the initial and secondary consultation period;
- By the end of October 2017, if appropriate, to publish a Revised Proposals report;
- By the end of December 2017, if appropriate, to have conducted a comprehensive 8-week statutory consultation on the revised proposals;
- By the end of January 2018, to 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 will also be represented at the Annual Meeting of UK Boundary Commissions.
- During the year the transition will be made from the Welsh Language Scheme to the adoption and implementation of Welsh Language Standards;
- By the end of March 2018 work will be undertaken to consolidate the long-term arrangements for the Commission's accommodation;
- By the end of March 2018 to ensure arrangements are in place for the Commission's future IT provisions.

Budget

5.2 To enable the objectives listed at 5.1 above to be met, the Commission has been allocated a budget of £270,000 for the financial year 2017/18.

