



Boundary Commission for Wales

2018 Review of Parliamentary Constituencies

Guide to the Public Hearings

September 2016

The Commission welcomes correspondence and telephone calls either
in English or Welsh

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Any enquiries regarding this publication should be sent to the Commission at bcomm.wales@wales.gsi.gov.uk

This document is also available from our website at www.bcomm-wales.gov.uk

Background and Purpose of the Guide

The Parliamentary Voting System and Constituencies Act 2011 (PVSC Act) was given Royal Assent on 16 February 2011. The PVSC Act amended the Parliamentary Constituencies Act 1986 which is the statutory framework the Commission is directed to abide by for the purpose of reviewing constituencies in Wales.

As well as the fundamental change to the allocation of constituencies and rules for the creation of constituencies, the procedure of Public Inquiries was abolished and in its stead public hearings were established (see Schedule 11 at Appendix 1).

The Schedule sets out certain rules relating to the public hearings. Subject to those rules, the conduct of the public hearings will be a matter for the discretion of the Chair of a public hearing. To ensure consistency of policy, procedure and practice, and to aid in the smooth running of the hearings, the Commission has provided guidance for the appointed Chairs of the public hearings and this guidance for the public.

Purpose of hearings

A public hearing is intended to provide an opportunity for people to make representations about any of the Commission's initial proposals, including the naming of constituencies, and to present any counter-proposals. Unlike the local inquiries of the past, a public hearing under the revised statutory scheme is not intended to focus on comments about any counter-proposals that may be put forward by others, as this can be done in the secondary consultation period.

Number, locations and dates of hearings

The Commission will be holding five public hearings, each over two days (the maximum allowed by the legislation). The locations of these hearings, spread across Wales, have been chosen to ensure the maximum coverage in terms of accessibility. The public hearings will be held at the following locations, venues and dates:

Location	Venue	Date
Carmarthen	Ivy Bush Royal Hotel	12 – 13 October 2016
Bangor	The Management Centre, Bangor University	19 – 20 October 2016
Cardiff	Mercure Holland House	26 – 27 October 2016
Llandrindod	Metropole Hotel	02 – 03 November 2016
Wrexham	Catrin Finch Centre, Glyndwr University	09 – 10 November 2016

Attendance at the hearings

If you wish to attend a public hearing, the Commission would be grateful if you would write to the Boundary Commission for Wales, Hastings House, Fitzalan Court, Cardiff CF24 0BL, fax to 029 2046 4823, or email bcomm.wales@wales.gsi.gov.uk.

In your request we would be grateful if you would include:

Your name

Address

Telephone number

Affiliation (if any)

Hearing(s) you would like to attend (in order of preference)

The date(s) and time(s) you would be available to speak (in order of preference).

All those requesting attendance will receive an acknowledgment.

Approximately one week prior to the public hearing those requesting attendance will be contacted and given an approximate time slot. In addition to this, in order to aid the translators and transcribers, participants will be requested to provide their speaking note in advance. This is not compulsory but would greatly aid the smooth running of the hearings.

Facilities will be available at each venue to provide an electronic presentation. If a participant wishes to make a presentation this will need to be provided in advance to ensure it is compatible with the software at the venue. If it is not provided in advance the Commission cannot guarantee that a participant will be able to make the electronic presentation.

In the event of exceptionally high demand to speak at a public hearing it may be the case that a second preference/another public hearing venue slot will be offered in place of the one a participant would prefer. Whilst we shall strive to avoid such difficulties, the Commission cannot guarantee that a participant will be able to make representations at the time, date or venue that he or she might prefer.

Media

Representatives of the media may be present at a hearing wishing to record opening statements or conduct interviews in or around the hearing venue. It is at the Chair's discretion as to what they will or will not be allowed to record of the hearing and will be dealt with upon request. Persons who wish to make representations at a hearing but who do not wish those representations to be recorded are asked to make that known to the Commission as early as possible.

Social Media (including Live Streaming)

Those in attendance of the hearing may wish to tweet, message or text during a hearing, or part of a hearing. On the condition this is done when the device is silent this is allowed. However,

photography will be prohibited but may be permitted at the Chair's discretion and will be dealt with upon request.

Those in attendance of the hearing may wish to stream a hearing, or part of a hearing, live via a social media channel. It is at the Chair's discretion as to what they will or will not be allowed to stream of the hearing and will be dealt with upon request.

The Chair will reserve the right to ask people to refrain from any activity that they may consider is disruptive to proceedings.

Procedure at hearings

Length

Both days of a public hearing will be organised in a similar way but with different lengths:

- Day One of a hearing will begin at 10am and close at 8pm. This will give members of the public opportunity to make representations outside normal office hours.
- Day Two will begin at 9am and close at 5pm.

Recording and Transcription

A transcription of each public hearing will be made available following the initial consultation period for interested parties to comment on during the secondary consultation period. Therefore, all parts of the hearing **must** be recorded via the microphones provided. This may mean that participants are asked to repeat what said into the microphone for the record even if it has been heard by the Chair and other participants and attendees.

Commencement

In accordance with the PVSC Act, the Chair will open each day of the hearing with a short introduction which will include how written representations about the proposals may be made.

Matters of housekeeping such as fire alarms, toilet facilities, use of mobile telephones and social media and details of when, and for how long, breaks in the proceedings are planned to occur will also be dealt with at this juncture.

Following the introduction, the Secretariat will provide a short presentation which will include an explanation of the proposals with which the hearing is concerned.

The presentation by the Secretariat will not be an opportunity for those present to ask questions of the Commission or Secretariat on the initial proposals.

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Running Order of Representations

Approximately one week prior to the public hearing the Secretariat of the Commission will inform the participants of their slot. This running order will be listed on or near the front desk at each public hearing.

Representations

As far as possible, speakers will be called out in the agreed order. For the purposes of translation, the speaker will be asked to confirm whether the representations will be made in Welsh or English. For the purposes of recording, the Chair will ask the speaker to confirm his or her name, interest (political association, etc.) and, if appropriate, place of residence.

Following the representation the speaker may be asked by the Chair to clarify certain points. Requests for clarification by the audience may be made only through the Chair.

The Commission suggests that questioning be limited to points of clarification and that cross-examination should not be permitted. The opportunity for comment on other's representations is the secondary consultation period. For the purposes of recording, the Chair will ask the person seeking clarification to confirm his or her name, interest (political association, etc.) and, if appropriate, the area of residence, prior to asking a question.

Regular breaks will be taken throughout each day. These will be built into the running order.

APPENDIX 1

SCHEDULE 11 PUBLIC HEARINGS ABOUT BOUNDARY COMMISSION PROPOSALS

The Schedule referred to in section 12(2) is as follows—

Section 5

“SCHEDULE 2A Public hearings about Boundary Commission proposals

Purpose of hearings

- 1 The purpose of a public hearing is to enable representations to be made about any of the proposals with which the hearing is concerned.

Number of hearings

2 (1) In relation to any particular report under section 3(1)(a) of this Act—

- (a) the Boundary Commission for England shall cause at least two and no more than five public hearings to be held in each English region;
 - (b) the Boundary Commission for Scotland shall cause at least two and no more than five public hearings to be held in Scotland;
 - (c) the Boundary Commission for Wales shall cause at least two and no more than five public hearings to be held in Wales;
 - (d) the Boundary Commission for Northern Ireland shall cause at least two and no more than five public hearings to be held in Northern Ireland.
- (2) The public hearings in an English region shall be concerned with proposals for that region, and shall between them cover the whole region.
 - (3) The public hearings in Scotland shall be concerned with proposals for Scotland, and shall between them cover the whole of Scotland.
 - (4) The public hearings in Wales shall be concerned with proposals for Wales, and shall between them cover the whole of Wales.
 - (5) The public hearings in Northern Ireland shall be concerned with proposals for Northern Ireland, and shall between them cover the whole of Northern Ireland.

Chair of hearing

- 3 For each public hearing the Boundary Commission concerned shall appoint a person to chair the hearing.

Length of hearings

- 4 A public hearing shall be completed within two days.

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Procedure at hearings

- 5 It is for the chair of each public hearing to determine the procedure that is to govern that hearing.
- 6 The chair shall make arrangements for a public hearing to begin with an explanation of—
- (a) the proposals with which the hearing is concerned;
 - (b) how written representations about the proposals may be made (as mentioned in section 5(1)(a), (4)(b) or (5)(c) of this Act).

- 7 (1) The chair of a public hearing must allow representations to be made—
- (a) by each qualifying party;
 - (b) by any other persons (whether individuals or organisations) considered by the chair to have an interest in any of the proposals with which the hearing is concerned.

Paragraph (b) above has effect subject to sub-paragraph (3)(b) below.

- (2) The chair may restrict the amount of time allowed for representations—
- (a) by qualifying parties, and
 - (b) by other persons,
- and need not allow the same amount to each.

- (3) The chair may determine—
- (a) the order in which representations are made, and
 - (b) if necessary because of shortage of time, which of those wishing to make representations are not allowed to do so,
- in whatever way the chair decides.

- 8 (1) The chair may put questions, or allow questions to be put, to a person present at the hearing.

- (2) If questions are allowed to be put, the chair may regulate the manner of questioning or restrict the number of questions a person may ask.

Interpretation

- 9 In this Schedule—
- “the chair” means the person appointed under paragraph 3 above;
 - “English region” means an electoral region specified in Schedule 1 to the European Parliamentary Elections Act 2002 (ignoring paragraph 2(2) of that Schedule and the

references to Gibraltar) as it has effect on the day referred to in rule 5(2) of Schedule 2 to this Act;

- “public hearing” means a hearing under section 5(1)(b) of this Act;
- “qualifying party” means a party that is registered under Part 2 of the Political Parties, Elections and Referendums Act 2000 and either—
 - (a) has at least one Member of the House of Commons representing a constituency in the region, or (as the case may be) the part of the United Kingdom, in which the hearing is held, or
 - (b) received at least 10% of the votes cast in that region or part in the most recent parliamentary general election.”

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