



Bernard Jenkin MP
Chair, Public Administration and Constitutional Affairs Committee
Houses of Parliament
London
SW1A 0AA

24 January 2018

Dear Mr Jenkin,

Parliamentary Boundary Reviews after 2018

I write further to our appearance on this subject before your committee on 9 January. During the session, I offered to write to the committee with suggestions for beneficial (in our view) technical changes to our governing legislation for future reviews, should that be possible. These follow towards the end of this letter.

Before making such technical suggestions, I would like to reiterate some of the points made during the session, so that your committee's understanding can be as full as it can be before you present your findings. The following comments are made on behalf of the Boundary Commissions for England, Northern Ireland and Wales (the Scottish Commission intends to respond to you separately).

There were a number of questions about the length of time the commissions need to conduct a review. We would like to reiterate that, under the current legal consultation processes set out in our governing legislation, it is unlikely that we would be able to complete a review in a shorter period of time than the 2 years 10 months currently allowed for. Although reference was made to the Parliamentary Constituencies (Amendment) Bill currently in Parliament, we were not specifically asked about the timescales outlined in that Bill. We have not been consulted by the Member of Parliament taking this Bill through Parliament, but we wish to highlight to your committee that we would not be able to deliver the review in the proposed timescale (starting after Royal Assent, presumably at the earliest this summer, and completing by September 2020, would give us just over two years – too short a time to complete the review without significant changes to the total time prescribed for consultation). Although not the focus of your questions to us, it is worth mentioning that there are other technical deficiencies in this Bill as currently drafted, on which we would be happy to give advice were we to be consulted.

During the evidence session there was also discussion about removing or changing the consultation periods; this is a matter on which Parliament must decide, but I would draw your attention to the remarks all four commissions made about the value of public participation and locally-derived evidence. On the question of public hearings, the Committee heard contradictory evidence about how much time would be saved in the process by removing the public hearings; and it would appear from some questions that the Parliamentary briefing provided to the committee ahead of the evidence session may have given the impression that significant time could be saved simply by removing the public hearings. We wish to remind you of the evidence provided by the Commissions that simply removing the public hearings from the current process would not save us any time at all, given they occur *during* the 12-week period for the initial consultation period.

As to the technical changes that the English commission would suggest in any future legislation: first, the requirement to place on deposit a hard copy of the proposals in every proposed constituency is, in our view, overly onerous on the commissions. It is an expensive and logistically-difficult exercise to source suitable places to display copies, and then to distribute the material to these places at each consultation stage. Further, we have very little evidence that these hard copy proposals are looked at – as over 90% of the public comments we received during the review came through our website, we can safely assume that the site is now established as the primary source of consultation. We do not consider that the current legal obligation to print and distribute copies of the proposals to every constituency around the country provides value for money for the taxpayer and would recommend that the requirement is removed for future reviews. The commissions could then use their judgement and discretion to communicate and publicise the proposals as best they see fit.

Second, the English commission has spent some time and resource creating a polling district map of the country, in order that respondents to our consultation might better be equipped to propose dividing whole wards (notwithstanding our policy that wards would only be split in exceptional and compelling circumstances). No other such map exists, as far as we are aware. The accuracy of this map depends on our receiving up to date data from local authorities when they have conducted a polling district review. In order for our map to remain effective, a statutory requirement for local authorities to notify us when they have completed a review would be useful – an amendment to the rules and procedures for conducting polling district reviews (Schedule A1 to the Representation of the People Act 1983) would suffice to put this into effect.

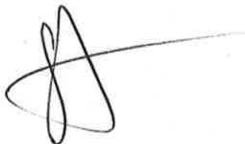
Third, the Boundary Commission for Wales wishes to raise a technical difficulty with the legislation in respect of constituency names. The current legislation provides for the Secretary of State to lay before Parliament a draft Order in Council for giving effect to the recommendations of the Commissions including recommendations as to the name of the constituency. The Boundary

Commission for Wales considers that there is power for the Secretary of State to give constituencies names in both English and Welsh but recognise that there is a contrary argument. The Commission would like there to be specific provision in legislation to allow the Boundary Commission for Wales to give both English and Welsh names to constituencies, where appropriate, and that both names be given equal status.

Finally, I wish to correct one of my statements to the committee. On the subject of costs, I stated that, 'So far the review, up until figures to the end of November, which are the most accurate figures we have ... has cost just over £5 million—it is just under £5.1 million—the Government expects the review to cost about £5.6 million through the course of its lifetime, and I think the four Commissions would estimate that we would come in slightly under that if we complete in September.' I must apologise in that I mis-read my notes on this issue. I should correctly have stated that the Government expected the whole UK-wide review to cost around £8 million (not £5.6 million, which is the expected cost just for the English commission and was the figure in my notes). This is my error alone and the other commissions bear no responsibility. I hope your committee trusts that this was simply an error in reading my notes, not one that was intended at all to mislead. I am happy to correct this mistake, for the record.

I trust the content of this letter is useful to you in coming up with your report. Please do not hesitate to contact me if you need further information.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Sam Hartley', with a long horizontal stroke extending to the right.

Sam Hartley
Secretary to the Commission

Cc:
Eamonn McConville, Secretary, BCNI
Isabel Drummond, Secretary, BCS
Steve Halsall, Secretary, BCW