



Meeting with Parliamentary Political Parties – 4 April 2011 35 Great Smith Street, London

Attendees: Roger Pratt CBE and Rob Hayward (Conservative), Greg Cook and Declan McHugh (Labour), Mark Pack (Liberal Democrat), Mr Justice Sales (Commission Deputy Chairman), David Elvin QC and Neil Pringle (Commissioners), Simon James, Bob Farrance, Tony Bellringer, Glenn Reed, Sam Hartley (Commission Secretariat).

Welcome and Introduction

1. The Deputy Chairman welcomed attendees and made some introductory remarks as follows:
2. The consultation on taking a region-based approach within England had concluded on Friday 1 April. Although it was too early for a detailed analysis and a final decision informed by that, it appeared that there was broad support for the Commission's proposed approach in the responses.
3. The Commission did not intend to speculate in the meeting on how it might apply its policies to hypothetical situations.
4. As public hearings had been a very late addition to the new legislation, the Commission had not yet worked through its view on public hearings as fully as in respect of other policies, so it did not propose to discuss that at this meeting, but would schedule a separate meeting with the parties to discuss that topic. This would be as soon as possible, and the COMMISSION would welcome receipt of views of the parties on public hearings before that meeting.
5. The Commission felt it was very important to keep MPs informed about the process, and would welcome views and assistance from the parties in this regard.
6. It was proposed that an agreed note of this meeting be published.
7. The Deputy Chairman then turned to the main business, under five main headings derived from the questions notified in advance by the parties.

Timetable and Process

8. **Publication of information booklet:** Although it had originally been intended to publish this in April, this was now more likely to take place in late June or early July.
9. **Initial proposals timing:** The Commission was planning to publish in autumn 2011. The Commission needed to finalise its initial proposals, and would be seeking to avoid publication during recess, the main party conferences, etc. This would suggest a likely time for publication would be in the week commencing 12 September 2011.

10. Availability of base information: The Commission has recently published the electorate data that is one key element of its work. The Boundary Line mapping data that is the other key element is already a publicly available product (free of charge from Ordnance Survey), so the Commission does not intend to issue this separately (the Commission will publish a guidance note detailing how to obtain the mapping data from OS).
11. Publication of proposals: Initial proposals would be published on the Commission website and hard copies sent to around 1500 places of deposit around England. Responses to initial proposals would also be published on the website and made available in at least one place of deposit in each proposed constituency. Embargoed copies will be sent to all MPs and the headquarters of the Parliamentary political parties 24 hours before official publication. Any breach of the embargo would be taken into account when considering providing advance notice at future stages of the review.
12. The following were specific questions and answers:
- Q1: Can the Commission give a guarantee that there would be no publication during the three weeks of the main parties' autumn conferences?
A: The Commission could not give an absolute guarantee, but it was very conscious of the importance of seeking to avoid such timing, and its current planning would not see it publishing during that three week period.
- Q2: What will be the format of the maps to be made available at publication of proposals?
A: A separate A3 book of maps illustrating the Commission's proposals would be published for each region. All would be published at the same time, but places of deposit would only be sent the proposals for the region in which they were located. National party headquarters would be sent a copy of the proposals for all nine English regions.
- Q3: Will the Commission publish representations received earlier in the initial consultation period before that consultation period closes?
A: No. In certain circumstances the responses might be published separately (in tranches by region), but the Commission does not intend to publish any representations before the initial consultation period closes.
- Q4: Will the Commission automatically redact all identifying information on representations, as the availability of this information is often helpful in gauging the strength and persuasiveness of a representation?
A: The Commission will consider its detailed policy on this and announce the decision in due course.
- Q5: Is the secondary consultation likely to be spring 2012 and consultation on revised proposals likely to be late 2012?
A: Yes
- Q6: The Act provides for further consultation to be conducted by the Commission if it revises its proposals in light of the initial and secondary consultation. If it does not wish

to make such revisions in a region, will it formally confirm final recommendations for that region at the same time as publishing revised proposals in other regions?

A: The Commission has not yet settled its policy on whether it would be prepared to finalise publicly recommendations in some regions before others. It noted that it would be unlikely that not a single change would be accepted in an entire region.

Q7: Would the Commission be publishing all its revised proposals at the same time, or might it publish - for instance – revised proposals for less complex or contentious regions earlier than more tricky ones?

A: The Commission has not reached a firm decision on this yet.

Q8: Can the Commission say more about what the information booklet will contain?

A: There would be three broad aspects to the booklet: a) a guide to how to make representations; b) a statement of the policies and procedures of the Commission; and c) guidance on how public hearings will operate.

Q9: Could the Commission publish anything about its policies earlier than publication of the booklet?

A: The Commission did give notice of its key policy decisions relating to progression of the review via its Newsletters. It would consider whether it would be appropriate to communicate more general policies on its approach to developing constituency schemes separate from - and in advance of - the information booklet, particularly if these were time-critical.

Use of regions, allocation of constituencies between regions, and overall methodology

13. The Deputy Chairman stated that if the regional approach was confirmed following the detailed analysis of the recent consultation responses, the Commission's position was that it was likely that there would need to be compelling reasons to cross a regional boundary.

Local government boundaries (including splitting wards) and existing constituency boundaries

14. The Deputy Chairman confirmed that the Commission is not taking the approach of 'starting from a blank sheet of paper', but will be giving specific consideration to existing constituency boundaries in drawing up its initial proposals under the new statutory rules. However, he took the opportunity to emphasise again that any assumption that an existing seat already within the 5% electorate range from the electoral quota figure would automatically remain untouched was not correct. This was because of the need to ensure a viable scheme for the whole region, where all the constituencies would be required to meet the statutory target range. A viable scheme for a region would also have to take into account the other factors identified in the statutory rules. In line with having regard to existing constituency boundaries, the Commission was focused on getting all constituencies within the statutory range, rather than as close as possible to the electoral quota figure itself, as the latter would almost certainly involve a greater degree of disruption.

15. The Deputy Chairman also confirmed that the Commission would only split a ward if there was felt to be no realistic alternative in order to create a viable constituency. Counter-proposals could be submitted that included split wards, but reasons for needing to split the ward would need to be compelling, and the representation would need to include robust data for the sub-ward level, so that the Commission could be sure the counter-proposal met statutory requirements.
16. It was noted that in paragraphs 10 and 11 of Newsletter 2/2011, the Commission had confirmed that its policy for the 2013 Review would be that, as provided for by the Parliamentary Constituencies Act 1986 (as amended), in forming its proposals it would take into account the local government boundaries as they existed on 6 May 2010 and that consequently it would not take into account new boundaries that came into effect at local council elections in May 2011, or in subsequent years. In response to queries about how this policy would apply, particularly in those limited cases where the Commission had to consider whether it should divide a local government district ward (as it existed on 6 May 2010) between constituencies in order to meet the statutory requirement that all constituencies must have an electorate that is within 5% of the electoral quota, the Deputy Chairman confirmed that, in considering whether it is necessary to divide such a district ward and if so how it should be divided, the Commission was prepared to take into account as appropriate any new ward boundaries that had been introduced after 6 May 2010.
17. The following were specific questions and answers:
- Q1. Accepting the need to supply clear sub-ward figures in any counter-proposal that suggested splitting a ward, would those intending to respond to the Commission's proposals in this way be able to check their figures with the Commission?
- A. The Commission would be happy to confirm any figures against data that it already held, but it did not obtain data at a sub-ward level as a matter of routine.
- Q2. Would the Commission confirm there will be no 'detached parts' to any constituency?
- A. The Commission did not envisage proposing any non-contiguous constituencies.
- Q3. Would it be possible to explain in the Commission's proposals when they are published how any post-May 2010 warding arrangements relate to the actual May 2010 ward structures used in the proposals (i.e. overlaying the old ward boundaries with the new ones)?
- A. The Commission would need to consider whether that would be appropriate.
- Q4. Can the Commission give any indication of the areas in which it might feel it necessary to split a ward to make a viable constituency?
- A. The Commission did not feel that it would be appropriate to do so at this stage, as its initial proposals were still being developed.

Public Hearings

18. The Deputy Chairman said that the Commission was still continuing to develop its policy in this area, as it was very conscious of the need to ensure that these hearings were felt

to be a genuine opportunity for local views to be put forward in an effective manner. It was agreed that the Commission would liaise with the political parties to have a later separate meeting specifically on the topic of public hearings, so that the Commission could understand further the parties' views.

Key Messages

19. The Deputy Chairman took the opportunity to raise a number of key points, as follows:

- Working efficiently and effectively with national and local party structures. This would be important to ensuring the review was robust and completed on time. Were the parties able to indicate what their plans were for interacting with the review process? All three parties responded in similar vein: the national party would most likely make nine main representations (i.e. one per region), but local parties and individuals may well wish to make their own views known, which may differ from the view of the national party.
- Importance of fully worked-through proposals. The Deputy Chairman said that it would be very helpful if the national parties could use their own channels of communication with local parties and individuals to support the important key messages of the new-style review requirements, i.e: the need to work across wider areas than before; the potential 'ripple effect' of changing proposals for one constituency; and the consequential desirability of providing detailed counter-proposals that comprehensively address not just the immediate change sought, but also how the knock-on effect across the wider area could be dealt with. Representations that were not fully worked through in this way would be less helpful to the Commission and would be likely to be considered less persuasive.
- Advance copies of proposals. Embargoed copies of initial proposals will be provided to the headquarters of the political parties and to individual MPs. Any breach of the embargo would be treated very seriously, and might lead to a withdrawal of this facility at further stages of the review.
- Working effectively with MPs. The Deputy Chairman said that the Commission was keen to keep MPs well informed about the review process as it progressed. The Commission's Newsletters were distributed to each MP. The Commission assumed that the political parties would also feed back information about the review to their MPs. Was there anything more that the Commission could be doing to ensure MPs were fully informed about the Commission's process and proposals? The parties felt that Commission activity to date and plans to keep MPs informed were appropriate and sufficient. If it became apparent that a different approach to this activity was required, party officials would be happy to assist as necessary.

Other business

20. The parties asked if the Isle of Wight would be treated any differently in the process from the rest of England. The Commission confirmed that other than the statutory requirement that exactly two constituencies would need to be wholly contained within the geographical area of the Isle of Wight (meaning that at least one would be outside the normal electoral quota +/-5% range) it would be treated in the same way as any other part of England in the review.