



Meeting with Parliamentary Political Parties – 17 May 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 the attendees to the meeting, and confirmed that, following the previous meeting on 4 April, the current meeting was specifically concerned with the Commission's plans for the public hearings on its initial proposals. He outlined an informal agenda, which follows the headings set out below.

**Number and location**

2. The legislation now provided a statutory range for the number of hearings that could be held in each region – specifically a minimum of two and a maximum of five. Accordingly, the Commission planned to hold a number of hearings in each region as follows:

Region	Number of new constituencies	Number of hearings
Eastern	56	4
East Midlands	44	3
London	68	5
North East	26	2
North West	68	5
South East	83	5
South West	53	4
West Midlands	54	4
Yorkshire & The Humber	50	4
	Total = 502	Total = 36

3. The Commission would now identify appropriate locations and book suitable venues in those places. It hoped to be in a position to announce before summer recess the confirmed dates and venues for all public hearings.
4. There were mixed views about the number of hearings proposed in each region. Mr Pratt felt the distribution was fair and reasonable. Mr Cook felt that given the unpredictable level of interest that could be shown in consequence of the new statutory rules, there was an argument for holding the maximum number of hearings in each region, or at least more hearings where there was likely to be more disruption and controversy, for example in the North East. The Deputy Chairman stated that the Commission had tried to be even-handed between the regions in its allocation of hearings, having regard to the clear intention of the Act that a different number would

most likely be appropriate for different regions. Mr Elvin stressed that inability to attend a public hearing should not be considered as 'missing out', as the Commission would be treating written representations with equal weight to those made orally at public hearings.

### **Timing**

5. The hearings period would most likely begin in week commencing 10 October 2011, and thus conclude in mid-late November. The Commission's preferred approach was to seek to cluster the hearings in a given region all within a short time period, rather than spread them out across the whole six-week hearing period. The Commission planned to hold the hearings on weekdays only, but each would be for the two days maximum permitted under the Act, and the first day would start late morning to allow it to run into the early evening (7 or 8pm).
6. Mr Pack queried the lack of weekend hearings, stating that many people with an interest had jobs that would make it difficult to attend a weekday hearing. He also pointed out that opening up weekends would create extra capacity for when the hearings could be held during the statutory six-week period. The Deputy Chairman said that there was a significant additional resource implication for the Commission if it were to run hearings at weekends, and Mr Elvin said there was a reasonable expectation that people who felt strongly enough about the proposals - and particularly wanted to speak at a public hearing - would be able to make time available to attend. Mr Pratt felt the Commission's approach was reasonable, and agreed that individuals – including MPs – who particularly wanted to attend a hearing would make themselves available.
7. Mr Pratt asked for confirmation that a two-day hearing would be consecutive days (i.e. not split either side of a weekend), and also asked that the Commission avoid overlapping the dates of hearings in the same region. The Deputy Chairman confirmed that the Commission's intention was to hold every hearing on consecutive days, and it would seek to avoid overlap of hearing dates in the same region as far as practical (availability of suitable venues and the Chairs may affect that).

### **Chairs**

8. The Commission was currently in the process of recruiting Assistant Commissioners, who would fulfil the role of Chair at the public hearings, and would also subsequently be responsible for analysing all the representations in a region (i.e. from public hearings and in writing), and producing a report on that region with recommendations to the Commissioners. Up to three Assistant Commissioners would be appointed for each region, one of whom would be identified as the 'lead' Assistant Commissioner for the region. The Commission would seek to ensure that the lead Assistant Commissioner acted as Chair at as many of the hearings in their region as possible.
9. Mr Cook asked for confirmation that the Assistant Commissioners' reports on each region would only be worked on and drafted after the secondary consultation period (i.e. taking into account representations from public hearings, and written representations made during both the initial and secondary consultation periods). The Deputy Chairman confirmed that this was correct.

## **Presentations**

10. The Commission intended to set the broad parameters in the information booklet for the arrangements for giving a presentation at a hearing, and give guidance based on this to the hearing Chairs. The intention would be to ask those wishing to give a presentation to 'book' to do so a minimum of 7-10 days prior to the hearing date, providing at the same time a synopsis of what they would wish to say. On doing so, a provisional timeslot (probably of around 10 minutes) would be allocated by the Commission. After the 'booking ahead' period had closed, the hearing Chair would take a view – on the basis of the number of people booked and the synopses provided – of what final time allocations should be given to speakers (though it was likely that speakers would still need to be a little flexible in when exactly they were called to speak on the day). It would still be possible for an individual to turn up to a hearing on the day and be allowed to speak, but this would be entirely at the discretion of the Chair of that hearing, and there was no expectation on them to give permission in these circumstances.
  
11. Mr Pratt strongly supported the value of 'short sharp' focused contributions from experience in previous hearings. Mr Cook noted that a strong counter-proposal would also need to demonstrate coherence and a holistic view of the impact on neighbouring areas.
  
12. There were a number of specific questions on this aspect, as follows:
  - Q1. When will the booking system be available for interested individuals to start using?  
A1. Commission would be unlikely to take any bookings until publication of the actual initial proposals in early-mid September.
  
  - Q2. How will the booking system be explained and advertised?  
A2. The outline of the process would be set out in the information booklet, and the detail would accompany the initial proposals documentation itself.
  
  - Q3. How will cross-examination be prevented in practice?  
A3. Hearings would likely operate similarly to more recent 'round-table' style planning inquiries.
  
  - Q4. Will people need to bring supporting materials?  
A4. This would be helpful, but would not be mandatory.
  
  - Q5. What provision would there be to support use of visual aids?  
A5. The Commission certainly encouraged the use of visual aids to help describe any counter-proposals. It would take reasonable steps to support any individual wishing to use such visual aids, and would therefore request that presenters give as much notice as possible of what visual aids they wished to use. The Commission would almost certainly have a basic provision of a laptop with Powerpoint display software and a projector.

Q6. How much time would the initial presentation by the Commission itself take up, and would a printed summary of the key points be available throughout the hearing?  
A6. The initial presentation was intended to be quite short, focusing on the key points only, in order to maximise the amount of time available for others to have their say. The Commission would look to ensure that a printed summary was available throughout the hearing.

Q7. What was the Commission's attitude to the media being present at hearings?  
A7. The Commission was very positive towards media presence at hearings, as it should help raise local awareness of – and hopefully participation in the consultation on - the proposals for their area.

### **Questioning**

13. The Commission viewed this area as one of the key aspects on which new public hearings differed from the local inquiries under previous reviews. In particular, the Commission feel that any question put to a presenter at a hearing should be intended to clarify understanding of the listener, not to 'cross-examine' the presenter to test the strength of any counter-proposals they may be putting forward. Additionally, the Commission's guidance to Chairs would be that questions to a presenter should be asked through the Chair, rather than put directly to the presenter. The Chair will have discretion to allow direct questioning, but would be expected to do so only with good reason.

### **Transcripts**

14. A verbatim transcript of the public hearings would be taken, and any visual aids used would be appended to this. These transcripts would be analysed alongside – and with equal weight to – all the written representations received during the initial and secondary consultation periods. Accordingly there would be no need to submit a written representation that simply repeated what had already been said at a public hearing. The Deputy Chairman confirmed that – in line with the Act – transcripts of public hearings would only be published at the beginning of the secondary consultation period (alongside the written representations received in the initial consultation period).

### **Lead hearings**

15. The Commission felt that it might be useful for the main political parties to have the opportunity to present a 'region-wide' view at one of the hearings in each region, for which they could be provided with more time to present than would normally be offered. This would have the benefit of allowing them to present a holistic picture to the Assistant Commissioner chairing the hearing, and would save them having to repeat (in a shorter time) a region-wide picture at each hearing in the region. In turn, this could therefore free up time for others to be able to speak at other hearings in that region. The Commission would try and ensure that the Assistant Commissioner at the relevant hearing was the lead one for that region, who would be ultimately responsible for producing a report to the Commissioners on whether proposals for the region should be revised. The Commission would probably aim to make the first hearing in each region the 'lead' hearing, as it may assist to generate interest and awareness if it was also a showcase for the region-wide presentations by the main parties. The Commission was

not seeking to impose this on the parties, but they might find the approach helpful in being able to most effectively make their case.

16. Mr Cook said that he very much welcomed this suggestion. He asked whether other organisations and individuals would be offered the same opportunity. The Deputy Chairman said that it was certainly possible that extended time could be given to someone with a presentation that was particularly complex or geographically wide-ranging. However, that would be a matter of discretion to be decided on a case-by-case basis by the hearing Chair, and subject to the overall number of requests to speak, so in practical terms it may often not be possible to give others extended time. By contrast, the qualifying parties were being offered a guaranteed extended time at one designated hearing in each region. Mr Cook was also concerned to ensure that the dates of the designated lead hearings did not overlap, which the Deputy Chairman confirmed the Commission was very mindful of and would be seeking to avoid.
17. Mr Pratt asked if the parties would speak first in the lead hearings, which the Deputy Chairman confirmed would most likely be the case (after the statutory presentation by the Commission itself). Mr Pratt had a slight concern that extended presentations from potentially four qualifying parties would eat up a large part of a day, preventing a number of people speaking at that hearing. He was also clear that he did not want the hearings to become about the parties commenting on each other's proposals, as in the old-style local inquiries: new hearings were intended to be for comment and counter-proposals in respect of the initial proposals of the Commission. Whilst respecting the value of having an opportunity to put a region-wide case, he was also concerned that the hearings should not lose their local focus at the same time.
18. Mr Pack felt that the lead hearings proposal was a useful one, and stressed that it would be best to have each lead hearing at the beginning of the hearings process in a region.
19. The Deputy Chairman stressed that the important point for the Commission was that the Assistant Commissioner who would be leading on the report and recommendations to Commissioners for the whole region was able to get a coherent understanding of the region-wide proposals of the parties.

**Close**

20. The Deputy Chairman thanked the attendees for their comments. He said the bulk of the general policy in relation to public hearings would be set out in the Information Booklet to be published by the Commission, whilst detailed arrangements would be published alongside the initial proposals themselves.