

18 JUL 2006

COMISIWN FFINIAU LLYWODRAETH LEOL I GYMRU

LOCAL GOVERNMENT BOUNDARY COMMISSION FOR WALES

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Dr Richard Jarvis
Secretary
The Committee on Standards in Public Life
35 Great Smith Street
LONDON SW1P 3BQ

14 July 2006

Dear Dr Jarvis,

The Eleventh Inquiry: the Electoral Commission

Further to the Public Hearing held in Cardiff on the 6th July, I would like to make the following additional comments that may assist the Committee.

The Commission's proposed Role for parliamentary Boundaries

The process for setting parliamentary boundaries is governed by a set of Rules set by parliament. These Rules would have to be applied by whoever is undertaking the boundary-setting role. There is a case for suggesting that the Rules should be overhauled and this comment has been made in the past by Boundary Commissions – but up to the present time, Parliament has not taken action.

The Boundary Commission for Wales considered making some comments on the issue when finalising the Fifth Review report, but ultimately decided not to make comment. There has been some discussion between the Secretariats of the four parliamentary Commissions with the Electoral Commission on this issue and, I believe, some suggestions have been made concerning possible improvements to the Rules.

As I indicated at the Public hearing, I do not see a role for the Electoral Commission in boundary activities, particularly in the context of the devolved administrations in the UK. The 2000 Act did not take account of these developments. However, the time is opportune now for a high level review of the legislation that governs it. In this context, there may well be a role for the Electoral Commission as the appropriate body to review these Rules.

The Role of Local Government Boundary Commissions

Setting local government boundaries is a process that can take up to twelve months to complete because of the process of consultation that is needed. Often it will require a physical examination of the boundaries concerned prior to making a Recommendation to the Assembly Minister. There is an overseeing role in respect of the boundary setting activities of the county Councils themselves who are required by legislation to keep the community council boundaries regularly under review. Once the Local Government Commission has agreed proposals for change, these are recommended to the Minister for implementation. However, any changes proposed by the local authority for Community wards (i.e. changes to the community electoral arrangements) are for them to implement.

Reviews of electoral arrangements are undertaken every ten to fifteen years. The purpose of this is to avoid significant disparity between the electoral divisions in Wales through demographic change or housing developments etc. However, the Minister is able to Direct the Commission to undertake any review considered necessary of local boundaries within Wales. The advantage of this power is that it

enables the Minister to provide for reviews of specific areas or more general electoral arrangements outside of the normal cycle of activities. During the work for the Fifth General Review of parliamentary activities, the Secretariat was able to continue to work on local government boundary activities at the same time, which proved to be advantageous.

Yours sincerely

A handwritten signature in black ink, appearing to read 'S. G. Smith', with a large, stylized flourish at the end.

Susan G. Smith LLB