

2018 Review of UK Parliament Constituencies Public Hearings

Action required

1. The Commission is invited to note the progress of arrangements for the holding of Public Hearings and to decide on:
 - the duration of hearings,
 - the venues of hearings,
 - the geographical focus of hearings,
 - the content and style of the statement to be given by the Secretary at the beginning of each hearing, and
 - the guidance to be issued to Sheriffs Principal.

Background

2. At its meeting of 18 July 2016, the Commission considered Paper 2016/24 on arrangements for the Public Hearings which form part of this review.
3. At its meeting of 5 September 2016, the Commission agreed to hold Public Hearings in Ayr, Dundee, Edinburgh, Glasgow and Inverness, subject to the availability of Sheriffs Principal.
4. The Secretariat has since confirmed the availability of Sheriffs Principal to chair public hearings as per the attached schedule (see Appendix A).

Duration of hearings

5. During the 6th Review, hearings lasted at most a day, with most hearings starting at 10am and finishing before lunchtime, although the hearings were reconvened in the afternoon to confirm that no one else wished to make a representation. The arrangements for the hearings, as notified to the public at the time, were:

“Each Hearing will commence at 10 am on the date shown, and will continue into a second day only if it has not been possible to accommodate all those wishing to speak during the first day.

The order of business for each Public Hearing will be determined on the first morning. Those who cannot attend at 10 am on the first day but who wish to speak at the Public Hearing are advised to make this known to the Secretariat to the Commission in advance of the hearing (tel: 0131 538 7510) or to the Chair of the Public Hearing at its commencement.

6. At that time, the Commission’s consultation portal had a facility to allow members of the public to register their planned attendance at hearings. In the event, only 14 people registered in that way. A further 10 people made their intention to attend known by other means. These public hearings had between 7 and 17 representations made and, on average, 13 people made a representation at a public hearing. Of the 65 representations made in total at these public

hearings, 18 were from MPs, 3 from local authorities, 10 from councillors, 7 from community councils, 11 from national political parties, 12 from local political parties and 4 from members of the public.

7. The Commission agreed at its July meeting that hearings should last a single day. The Commission will wish to consider at what times hearings should begin and end. While previous experience suggests that these are unlikely to last a full day it is important that they remain accessible.
8. One of the findings of the post-6th review survey of respondents to the public consultations was that "the majority of respondents generally did not consider that public hearings should be held only during office hours, with the notable exception of councils. Evenings were the most popular choice among dissenters."
9. For this review, the public hearings will be held within a relatively narrow 2-week period. A requirement for staff to stay overnight to enable evening sessions will put pressure on other commitments they have around that time, such as the UK Commissions' annual meeting in Belfast. Sheriffs Principal have not been asked about availability for evening sittings and the venues selected have not been chosen with evening sessions in mind.
10. For the last series of public hearings in 2011, the Commission supplied tea, coffee and a simple sandwich lunch for the Sheriff Principal, transcription staff and members of the Secretariat in attendance, in case the hearing continued into the afternoon and to allow key personnel to remain in attendance during breaks. The Secretariat suggests that this practice be continued for the forthcoming public hearings.

Venues

11. In the previous review, the Commission generally sought public buildings to stage hearings. Given the success of those hearings, the Secretariat suggests that the venues in Inverness and Dundee are used again, that an alternative public/third sector location to the Teacher Building, which is unavailable, is sought for Glasgow, an alternative venue is found for Edinburgh (the City Chambers is fully booked) and that the Town Hall in Ayr is used for the hearing in Ayr as suggested by South Ayrshire Council officers.

Geographical focus of hearings

12. The Secretariat suggests that the geographical focus of the hearings in Ayr, Dundee, Edinburgh, Glasgow and Inverness should be as shown in the schedule in Appendix A. It will, however, remain open to anyone to comment on any of the proposals at any hearing.

Verbatim Reporters

13. There is a requirement under legislation for publication of records of public hearings. The Secretariat is currently conducting a tendering exercise for

verbatim reporting services. It is intended that the verbatim reporter will attend all five Public Hearings and will provide an electronic transcript of each Public Hearing within 6 weeks of the hearing.

Guidance for Sheriffs Principal

14. The legislation places the responsibility for the process used in public hearings with the Chair of the public hearing. For the public hearings held during the 6th Review, the Commission provided guidance to Sheriffs Principal on the conduct of public hearings. The Secretariat has updated that guidance to reflect the policies for this review and asks that the Commission consider the draft guidance (a copy of which is attached as Appendix B) and provide any comments on scope and content.
15. In addition to the guidance, the Secretariat will issue a consultation pack to each Sheriff Principal in advance of the Public Hearings. Each pack will contain: a Summary of Initial Proposals booklet, a Policies and Procedures booklet and a map of all proposed constituencies in Scotland.
16. The Secretariat will offer to meet Sheriffs Principal in November to discuss the Public Hearings if further briefing is required.

Commission statement

17. The Policies and Procedures booklet for the review states that the purposes of the Hearings are firstly for the Commission to explain its proposals, and secondly to give an opportunity for others to make representations concerning the proposals. It may be that those attending will also wish to use the Public Hearing to question the Commission on its proposals.
18. The requirement for the Commission to explain its proposals creates a need to ensure that the Commission's proposals are presented consistently. As a result, it seems sensible to prepare a statement to be read at the start of each hearing.
19. The Secretariat has prepared a draft statement for the hearing in Edinburgh (attached as Appendix C) that the Commission will wish to consider for style and content. It is proposed that similar statements will be produced for the other 4 hearings.

Recommendation

20. The Secretariat recommends that the Commission:
 - agrees the proposed arrangements for Public Hearings;
 - suggests any amendments to the schedule in Appendix A;
 - suggests any amendments to the guidance for Chairs of Public Hearings at Appendix B; and
 - suggests any amendments to the draft Commission statement at Appendix C.

Secretariat
September 2016