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Dear Huw,

Thank you for your letter of 21 March 2022 relating to the potential timescales for establishing a commission responsible for regularly reviewing the Senedd's constituency boundaries. I agree that doing so would entail either establishing a new boundary commission or conferring the powers to review Senedd constituency boundaries upon an existing commission.

It is important to first note that any substantive work relating to a review of the Senedd's constituencies could not begin until either a new or existing body is given these functions. This is because no body currently has the legislative function to carry out this work. Conferring the functions on a body is likely to be a key part of the Senedd Reform Bill. Therefore, the starting point for either option is the point at which the Bill receives Royal Assent.

#### Establishing a new commission

If setting up a new commission, the legislation and accompanying documents would need to cover issues such as the name and status of the body, appointments process, payments to members, other terms and conditions, budgets, governance, and audit. These reflect the range of issues relevant for establishing new public bodies.

While some of these documents, policies and processes could be prepared in parallel with the passage of the Senedd Reform Bill, some elements could not be begun or confirmed until after the Bill has received Royal Assent. In particular, an appointments process for Commissioners of a new body could not begin before this point.

The timing of an appointments process varies based on the particular circumstances of the case, including the level of interest initially expressed in the role. However, to give a sense of scale, past public appointments using open competition and established protocols to the

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

existing Local Democracy and Boundary Commission for Wales (LDBCW) have generally taken between six to eight months.

In terms of supporting the recruited Commissioners, there might in principle be an option to share the existing Secretariat (expanded as necessary) that currently supports both the Boundary Commission for Wales (BCW) and the LDBCW. There would likely be efficiency and rationalisation benefits from doing so.

#### Conferring powers on an existing commission

If conferring the power to review Senedd boundaries on an existing commission, there is in theory a choice between the BCW and LDBCW. Of these, there is likely to be greater opportunity to confer powers on the LDBCW given that conferring the powers on the BCW would require the consent of the UK Government.

The Senedd Reform Bill could confer powers to review Senedd boundaries on the LDBCW. As part of this, it would also be possible for the Bill to take steps to reconstitute and rename the Commission, reflecting the fact it would be gaining important new functions.

We note the relevant analogy of Boundaries Scotland, a single Commission which reviews both Scottish Parliament and Scottish Local Government boundaries. The Scotland Act 1998, as amended, made the then Local Government Boundary Commission for Scotland also responsible for reviewing the constituencies and regions of the Scottish Parliament. Part 4 of the Scottish Elections (Reform) Act 2020 consequently renamed the LGBCS to reflect its full responsibilities and made related provision. The separate Boundary Commission for Scotland (equivalent to the BCW) continues to carry out reviews of UK parliamentary constituencies in Scotland.

Conferring powers on the LDBCW would require fewer preparatory steps than establishing a new body, as the Commission already has in place the full range of documents and policies to function as an independent public body. While amendments might be required, this is likely to take less time than establishment from first principles. Consideration would also need to be given to the existing membership of the Commission, whether it would need to be expanded to reflect its new functions and whether the terms of appointment of the existing members would require review and updating. For context, recently concluded recruitment to the LDBCW means it now has a new chair and two new Commissioners in place, with recruitment of a third Commissioner ongoing.

In summary, it is highly likely that conferring powers on an existing Commission would take less time than establishing a wholly new Commission, in particular because of the time taken to make public appointments to a new Commission. This will be an important part, but far from the sole element, of the overall time required to implement Senedd reform.

I would be happy for my officials to engage with your officials to discuss this in more detail.

Yours sincerely,

A handwritten signature in blue ink, reading 'Mick Antoniw', with a horizontal line underneath the name.

**Mick Antoniw AS/MS**

Y Cwnsler Cyffredinol a Gweinidog y Cyfansoddiad  
Counsel General and Minister for the Constitution