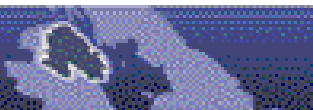


**Boundary Commission
for Northern Ireland**



Fifth Review of Parliamentary Constituency Boundaries

**Report
2004-2005**

June 2005



Forestview, Purdy's Lane, Newtownbreda,
BELFAST BT8 7AR

16 May 2005

The Rt Hon Paul Murphy MP
Secretary of State for Northern Ireland
11 Millbank
LONDON
SW1P 4PN

Dear Secretary of State,

The established practice is that non-departmental public bodies should produce regular reports of their activities and I present a Report of the Boundary Commission. It covers the 12 month period to 16 May 2005.

The Commission continue to make progress in their present Periodical Review and intend to cause public Local Inquiries to be held in the early autumn.

I am copying this letter to the Speaker.

Yours sincerely

A handwritten signature in black ink, appearing to read 'The Hon Mr Justice Coghlin', is written over a light blue horizontal line.

The Hon Mr Justice Coghlin
Deputy Chairman

Enc

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CONSTITUTION

The Boundary Commission for Northern Ireland are constituted in accordance with Schedule 1 to the Parliamentary Constituencies Act 1986:

Chairman: The Speaker of the House of Commons*
The Rt Hon Michael Martin, MP

Deputy Chairman: The Hon Mr Justice Coghlin

Members: Mr R Mackenzie CB
Mrs J Ruddock CBE

Assessors: The Registrar General in
Northern Ireland
Dr T N Caven

The Commissioner of Valuation for
Northern Ireland
Mr N Woods

The Chief Electoral Officer for
Northern Ireland
Mr D Stanley

The Chief Executive, Ordnance
Survey of Northern Ireland provides
professional advice on matters affecting
Ordnance Survey responsibilities**

Secretary: Mr J R Fisher

*The Deputy Chairman, by custom, presided at all meetings of the Commission but the Speaker was kept fully informed of the progress of the work of the Commission.

** On 1 April 2005 Mr M Cory was replaced as Chief Executive, Ordnance Survey of Northern Ireland by Mr S Brown, Acting Chief Executive.

REPORT 2004-2005

1. In common with the three other Boundary Commissions for the United Kingdom, the Boundary Commission for Northern Ireland are a permanent body constituted under the Parliamentary Constituencies Act 1986 as amended by the Boundary Commissions Act 1992 and are an independent advisory non-departmental public body. The role of the Commission is to keep under continuous review the number, names and boundaries of the parliamentary constituencies into which Northern Ireland is divided and to make recommendations to the Secretary of State. The Commission are also required to undertake general periodic reviews and to report with recommendations every 8 to 12 years.
2. The Report covers the twelve month period from 16 May 2004.

Consultation

3. In the twelve month period the Commission met on six occasions. In addition, the Commission hosted a meeting of all four United Kingdom Parliamentary Boundary Commissions to discuss matters of common concern, as provided for by Schedule 1 of the 1986 Act.
4. The joint meeting of Boundary Commissions was held in January 2005 and was the first to be held in Northern Ireland. The Boundary Committee for England and representatives from the Local Government Boundary

Commissions for Scotland and for Wales were also present.¹ The Commissions considered progress in their respective Reviews. They agreed, in the light of collective experience, to examine with the Electoral Commission present procedures for reviewing boundaries, as provided for by the Parliamentary Constituencies Act 1986, and to make proposals for change. They noted that under the Political Parties, Elections and Referendums Act 2000 the functions of the four Parliamentary Boundary Commissions will transfer to respective Boundary Committees of the Electoral Commission and agreed to consider how this transfer might best be effected, and its timing. Following a presentation of the geographic information system (GIS) used by the Boundary Commission for Northern Ireland, the Commissions affirmed the importance of GIS as a tool for developing proposals and the need for its continued development and funding. The four Commissions agreed to maintain a dialogue on these and other issues of common concern.

5. The Commission also co-operate closely with the Electoral Office for Northern Ireland, the Valuation and Lands Agency, the Statistics and Research Agency and Ordnance Survey of Northern Ireland. In addition, members of the Commission's Secretariat have maintained contact with Government departments and relevant public bodies.
6. The Commission rely heavily upon the professional advice of the Chief Executive of Ordnance Survey of Northern Ireland.

¹ Local government boundaries in Northern Ireland are the responsibility of the Local Government Division of the Department of the Environment for Northern Ireland which was represented at the meeting.

By invitation, Mr Mick Cory, until recently Chief Executive of Ordnance Survey has regularly attended meetings of the Commission. Mr Cory ceased to be Chief Executive and took up appointment elsewhere in the Department of Culture, Arts and Leisure at the end of March 2005. The Commission place on record their appreciation of the excellent advice he has afforded the present review.

Review of Public Administration

7. The Commission have maintained regular contact and held meetings with the Review of Public Administration Team.² The Commission have previously drawn attention to the difficulties arising from the postponement in the appointment of a Local Government Boundaries Commissioner and the uncertainties brought about by the proposed restructuring of local government in Northern Ireland. The 1986 Act obliges the Commission, so far as is practicable, not to include local government wards partly in one constituency and partly in another. Present ward boundaries do not always reflect the changes there have been in the distribution of the electorate since local government boundaries were last reviewed but wards are a conveniently sized building block for constituencies. While the Review of Public Administration has not reached this

² The Commission are grateful to Mr Greg McConnell, Head of the Review Team, for his periodic attendance at meetings of the Commission. The terms of reference of the Review of Public Administration Team are as follows: "In line with the political agreement of 18 December 1998, which sets out policy responsibilities, and reflecting the Executive's vision as described in the Programme for Government, to review the existing arrangements for the accountability, administration and delivery of public services in Northern Ireland, and to bring forward options for reform which are consistent with the arrangements and principles of the Belfast Agreement, within an appropriate framework of political and financial accountability."

level of detail, the Commission are advised that it will be for the Secretary of State to decide the future arrangements for local government boundaries. The Commission are concerned that when present legislation is revised, the opportunity may be taken to eliminate the current ward structure and to adopt what are currently the district electoral areas³ as the lowest level of boundaries.

8. Historically, wards have been the electoral unit with which the vast majority of local voters are most familiar. Any decision to cease using wards as the basic unit would entail an amendment to the Rules contained in Schedule 2 to the 1986 Act. In such circumstances, the Commission have advised the Secretary of State that they would wish to have an early opportunity to express their views.

Progress of Review

9. The Commission announced their Provisional Recommendations on 29 April 2004 and formally published these on 6 May 2004. They are grateful to the district councils, the Electoral Office, the Electoral Commission and to the Association of Chief Librarians for retaining the Provisional Recommendations on deposit for public inspection at their premises beyond the period for receipt of representations which expired on 7 June 2004. Altogether the Commission received 30 representations from political parties and political representatives, district councils,

³ There are currently 101 district electoral areas in Northern Ireland of which 13 are already divided between constituencies. The Commission's Provisional Recommendations propose that 16 district electoral areas should be divided between constituencies.

community bodies and members of the public. The Commission had the benefit of advice from the Office of the Information Commissioner in regard to their confidentiality. Among the representations received were eight from bodies of 100 or more electors. Overall, a number of representations reflected a concern about the need to maintain a fair balance between the aim of reducing disparity between the numbers of electors in each constituency and the requirement, where possible, to preserve long-established ties.

10. Where Provisional Recommendations alter any existing constituency and representations are received by the Commission from either an interested district council or a body of 100 or more parliamentary electors, the Commission cannot proceed with Final Recommendations until a public Local Inquiry has been held in relation to that constituency. After giving careful consideration to all the representations received, the Commission have decided that public Local Inquiries should be held in respect of all 14 constituencies affected by the Provisional Recommendations, namely the Belfast East, Belfast North, Belfast South, Belfast West, East Antrim, East Londonderry, Foyle, Lagan Valley, Newry and Armagh, North Antrim, South Antrim, South Down, Strangford and Upper Bann constituencies, although they recognise that such inquiries are not required by statute in the cases of the East Londonderry, Foyle and Upper Bann constituencies.
11. In deciding whether there should be a single public Local Inquiry or several inquiries, the Commission see it as important to strike a balance between the need to elicit

relevant local information and opinion and also to gauge and accommodate the effect of counterproposals on neighbouring constituencies. The Commission therefore propose to group constituencies together and to cause no more than three inquiries to be held.

12. Local Inquiries are normally conducted by an assistant Commissioner who is an independent lawyer selected from a panel appointed for this purpose by the Secretary of State. The Commission consulted the Bar Council in Northern Ireland and the Law Society for Northern Ireland. They invited persons nominated by those bodies to apply for appointment as assistant Commissioners in accordance with procedures agreed with the Public Appointments Unit of the Northern Ireland Office. The Commission considered the applications and submitted their recommendations to the Secretary of State.⁴ The Commission will draw on the panel of assistant Commissioners now appointed by the Secretary of State to conduct Local Inquiries when these are held in the early autumn.

13. Copies of representations received by the Commission, a Statement of Reasons issued by the Commission explaining their recommendations and a booklet outlining the purpose and procedure of the inquiries will be made available for public inspection at all district council headquarter offices, the Electoral Office and Area Electoral Offices, the offices of the Electoral Commission in Northern Ireland and the office of the Boundary Commission at the time the inquiries are announced. All those who submitted representations to the

⁴ The Commission were grateful for the assistance of Mrs Margaret Elliot CBE, LLB, DL as an independent member in the selection process.

Commission will also be notified of the time and place of Local Inquiries and where the representations which the Commission have received are available for public inspection. By convention, all Northern Ireland Members of Parliament and the main Northern Ireland political parties and district councils will also be informed of the arrangements.

14. The Commission will consider the representations, the reports and recommendations of assistant Commissioners appointed to conduct Inquiries together with any other relevant information as soon as the assistant Commissioners' reports are available. The outcome of the Inquiries and conclusions and recommendations of the assistant Commissioners cannot be anticipated and consequently no firm timescale can be set by the Commission for the conclusion of their Review.

Transfer of Functions and Review of Procedure

15. The Political Parties, Elections and Referendums Act 2000 provides that the functions of the Commission will transfer to a Boundary Committee of the Electoral Commission at a time to be determined by Order. This was discussed at the joint meeting of the four Boundary Commissions held in Belfast in January 2005 together with the need to examine with the Electoral Commission present procedures for reviewing boundaries.

16. Accordingly, the Secretaries to the Boundary Commissions put forward proposals⁵ to the Chairman of the Electoral Commission, Electoral Commissioners and officials at a meeting in April. Further meetings are planned. The four Boundary Commissions and the Electoral Commission are establishing a progressively closer working relationship and they attach importance to the need to ensure that there is the least loss of expertise or skills as a result of the transfer of functions. This Commission also believes that Northern Ireland interests need to be protected by being represented on the Electoral Commission.

Other Matters

17. In the interests of transparency and accountability the Commission have agreed a Code of Practice and established a Register of Interests in respect of members of the Commission. These documents are available on the Commission's website, www.boundarycommission.org.uk
18. The Commission have also examined the problem of defacement⁶ of boundaries in Northern Ireland and its

⁵ The Commission's proposals reflect earlier recommendations contained in the Report of their previous Periodical Review. *Fourth Periodical Report on Parliamentary Constituencies and Second Supplementary Report on the number of members to be returned to the Northern Ireland Assembly by each of those constituencies* (Cmnd. 2949, October 1995) Chapter 8. Other recommendations affect the minimum number of constituencies in Northern Ireland which the Commission believe should now be set at 17, the naming of constituencies in the Irish and Ulster Scots languages and *inter alia* improvements to the legislation in the matter of the circumstances in which the Commission must cause a Local Inquiry to be held and its extent, and the terms of reference of assistant Commissioners appointed to conduct Inquiries.

⁶ Defacement occurs when the relationship between a boundary and the ground detail to which it is 'mered' (or attached) is compromised due to building, demolition or other changes affecting the landscape.

incidence in the absence of the appointment of a Local Government Boundaries Commissioner. The Commission have considered the Boundary Survey (Ireland) Acts and the appointment and role of the Boundary Surveyor in Northern Ireland. The Commission intend submitting the outcome of their review with recommendations to the Secretary of State. Members of the Commission's Secretariat are also examining with other public bodies the wider issue of coterminosity of administrative boundaries.

19. The Commission's custom-designed Geographic Information System continues to generate considerable interest. The Commission are supportive in principal of proposals to establish a Boundaries Section within Ordnance Survey to maintain digitised boundaries and develop a centre of expertise to serve the wider need of all public agencies in Northern Ireland, and its appropriate funding.

Staff and Expenditure

20. The Commission are fortunate in having a most able and reliable team under the leadership of its Secretary, Mr John Fisher. Papers and other documentation prepared for meetings have been of exceptional quality as have the organisational arrangements, and the Commission are most grateful. As part of their training and preparation for Local Inquiries to be held in Northern Ireland, members of the Secretariat have attended and assisted at public Local Inquiries held by the Boundary Commission for England.

21. The Commission incurred the following expenditure in the financial year 2004-2005.

	Expenditure (£k)
Salaries and related costs ^a	136.5
Staff training and related costs	6.4
Members fees and expenses	8.5
Joint Commission meeting	2.9
Accommodation maintenance and minor works ^b	2.6
IT and other equipment ^c	41.3
Running costs ^d	24.1
Advertising and publishing	9.9
Stationery, postage, printing and reprographics	8.1
Miscellaneous ^e	15.0
Total	255.3

^a includes payments of £67.4k made to the Northern Ireland Assembly and to Ordnance Survey of Northern Ireland in respect of salaries and allowances of members of staff on loan from these bodies.

^b includes furniture and furnishings

^c includes website licence and maintenance charges

^d includes cost of cleaning, electricity charges, telephone rental and usage charges and accommodation service charges.

^e includes catering and hospitality, publications and newspapers, travel and subsistence and incidental expenditure.

Boundary Commission for Northern Ireland May 2005

