

TO THE CHAIRMAN AND MEMBERS OF THE BOUNDARY COMMISSION
FOR NORTHERN IRELAND

**REPORT OF A LOCAL INQUIRY IN RESPECT OF THE
PARLIAMENTARY CONSTITUENCIES OF LAGAN VALLEY, NEWRY
AND ARMAGH, SOUTH DOWN, STRANGFORD AND UPPER BANN
CONDUCTED ON 19 AND 20 SEPTEMBER 2005 AT THE SLIEVE DONARD
HOTEL NEWCASTLE**

I have the honour to report to you as follows:

- 1.1 The Commission announced a Review of parliamentary constituency boundaries on 16 May 2003. On 6 May 2004 the Commission published Provisional Recommendations for revised boundaries.
- 1.2 In response to their Provisional Recommendations, the Commission received submissions from political representatives and parties, district councils, representative groups and members of the public. The submissions included petitions. The nature of the submissions required the Commission to convene independent public Local Inquiries to consider their Provisional Recommendations before proceeding. I refer to these submissions later.
- 1.3 On 30 March 2005 I was appointed an assistant Commissioner by the Secretary of State under section 2 of and Schedule 1 to the Parliamentary Constituencies Act 1986 and was invited by the Commission on 16 May 2005 to conduct a public Local Inquiry into the Commission's proposals affecting the five constituencies of Lagan Valley, Newry and Armagh, South Down, Strangford and Upper Bann.

1.4 The Commission's Provisional Recommendations and relevant material together with the written submissions received by the Commission in response to their published Provisional Recommendations were referred to me.

CONSTITUENCY ELECTORATES

2.1 On 16 May 2003 (the enumeration date for the proposals of the present Review), I am advised that the total number of registered parliamentary electors in Northern Ireland was 1,097,450 and the number of constituencies in Northern Ireland was 18. The electoral quota (EQ) or average number of electors for each constituency, was therefore 60,969.

2.2 The parliamentary electorate and % deviation from the EQ of the five present constituencies under review were as follows:

Constituency	Parliamentary Electorate	Percentage +/- Quota of 60,969
Lagan Valley	67963	+11.5%
Newry and Armagh	68730	+12.7%
South Down	70173	+15.1%
Strangford	66303	+ 8.7%
Upper Bann	68806	+12.9%

2.3 I am advised that on the enumeration date the electorates of the proposed constituencies were:

1.	Lagan Valley	62,707	2.9% above (EQ)
2.	Newry and Armagh	63,380	4.0% above (EQ)
3.	South Down	65,496	7.4% above (EQ)
4.	Strangford	63,564	4.3% above (EQ)
5.	Upper Bann	64,493	5.8% above (EQ)

RULES FOR REDISTRIBUTION OF SEATS

- 3.1 The Commission are obliged by rule 5 of the Rules for Redistribution of Seats which are set out in Schedule 2 to the Parliamentary Constituencies Act 1986, to recommend constituency electorates as near as practicable to the EQ.
- 3.2 The Commission are also obliged by virtue of rule 4 to avoid dividing, so far as is practicable, local government wards between constituencies, unless it appears to them that a departure is desirable to avoid an excessive disparity between the electorates of constituencies and the EQ, or between the electorate of any constituency and that of neighbouring constituencies.
- 3.3 In the five constituencies covered by the Inquiry, no wards are divided by the present or proposed constituency boundaries.
- 3.4 Rule 6 provides for the Commission to exercise discretion when applying rules 4 and 5 and have regard to special geographical considerations, including the size, shape and accessibility of a constituency.
- 3.5 The Commission are also obliged by rule 7(a) and (b) to take account, as far as they reasonably can, of inconveniences attendant upon alterations of constituency boundaries (other than alterations to preserve the integrity of local government wards) and also to take account of local ties which might be broken by such change. The Commission take the view that such local ties might include those between wards belonging to the same Local Government District (LGD) or the same district electoral area (DEA). In the area covered

by the Inquiry which I was invited to undertake, there are eight LGDs. Of these, the Armagh LGD is wholly contained within the Newry and Armagh constituency, the Craigavon LGD is wholly contained within the Upper Bann constituency and the Lisburn LGD is wholly contained within the Lagan Valley constituency. Other LGDs are divided between constituencies.

STATEMENT OF REASONS

4.1 In the Statement of Reasons for Provisional Recommendations issued by the Commission in June 2005, the Commission laid down the principles which had guided their Provisional Recommendations and, in relation to the five constituencies covered by the Inquiry, stated that:

‘ 15. As a consequence of proposed changes affecting Belfast, the Commission have had to consider how to accommodate the ripple effect on adjacent constituencies, and have sought to do so having regard to the two largest constituencies in Northern Ireland, namely North Antrim with an electorate of 70,582 (15.8% above the (EQ) and South Down with an electorate of 70,173 (15.1% above the EQ).

16. The transfer of Castlereagh LGD wards to the Belfast East and Belfast South constituencies would have a particularly pronounced effect on the Strangford constituency reducing it to an electorate of 51,820 (15% below the EQ). At the last Periodical Review, the Down LGD wards of Derryboy, Killyleagh and Saintfield were

transferred from the South Down to the Strangford constituency. The Commission now propose that the remaining Rowallane DEA wards of Crossgar and Kilmore should be similarly transferred, together with the whole of the Ballynahinch DEA but not the ward of Seaforde. To transfer the Seaforde ward would effectively detach the Downpatrick DEA from the remaining part of the South Down constituency.

17. To equalise the electorates of the remaining parts of the South Down and the electorates of the adjacent Newry and Armagh and Upper Bann constituencies, the Commission propose that in the Newry and Mourne LGD, Newry Town DEA wards of St Mary's, St Patrick's and Windsor Hill currently within the Newry and Armagh constituency should transfer to the South Down constituency. The areas contained in these County Down wards formed part of the South Down constituency until 1983. The Commission also propose that the Banbridge LGD ward of Loughbrickland be transferred from the Upper Bann to the South Down constituency and the Craigavon LGD ward of Aghagallon be transferred from the Upper Bann to the Lagan Valley constituency with the cumulative effect of creating four constituencies of broadly equivalent sized electorates; Lagan Valley with an electorate of 62,707 (2.9% above the EQ); Newry and Armagh with an electorate of 63,380 (4.0% above the EQ);

South Down with an electorate of 65,496 (7.4% above the EQ) and Upper Bann with an electorate of 64,493 (5.8% above the EQ).’

CONDUCT OF INQUIRY

- 5.1 The Inquiry was conducted over two days during which time I endeavoured to accommodate all those persons present with the opportunity to address the Inquiry. To the best of my knowledge no one was prevented from doing so by virtue of the sequence with which the Inquiry considered proposals in respect of each of the five constituencies. I allowed questions to be asked of speakers and do not believe that in doing so this inhibited a full and faithful expression of views.
- 5.2 In addition to the written representations received by the Commission and referred to me , I received a large number of submissions immediately prior to and during the Inquiry certain of which, on behalf of Down District Council and Newry and Mourne District Council, were substantial and detailed. All the submissions were made available to those persons attending the Inquiry. I gave careful consideration to the weight to be attached to these submissions and the extent to which their late submission prejudiced the preparation and consideration of counterproposals. However, I received no complaints to this effect, save that the ripple effect of counterproposals put forward on behalf of Newry and Mourne District Council affected the constituencies of Fermanagh and South Tyrone and Mid Ulster. I refer to this again later but regret that such far reaching counterproposals were not available to the Commission and

hence made more widely available to the public and those participating in the Inquiry process as they should have been at the appropriate time.

OTHER MATTERS

6.1 In considering all of the evidence presented to me both written and oral, I have also had to give consideration to the effect of the number of constituencies in Belfast. The question that has exercised many minds has been that of deciding whether there should be either three or four constituencies covering Belfast. Deciding this falls outside the remit of my Inquiry but I am required to be aware of it and have regard to the ripple effect of change. From time to time during the two days of the Inquiry, reference was made to the Belfast constituencies. In particular, Dr Stephen Farry on behalf of the Alliance Party made a submission in respect of the constituencies included in my Inquiry on the basis of there being both three and four constituencies in Belfast. Mr Richard Bullick on behalf of the Belfast DUP MPs and MLAs questioned Dr Farry on this as did Mr Sean Begley on behalf of Sinn Féin who indicated his party's support for four constituencies. Mr Edwin Poots MLA for Lagan Valley said:

“The Provisional Recommendations of the Boundary Commission have certainly not been without their controversy, the reverberations of, really, what is happening in retaining four seats in Belfast can be felt right through to Ballycastle and Newry as such, in that the effects of retaining four seats in Belfast and their expansion will have a ripple effect throughout County Antrim and County Down.”

6.2 In short I cannot ignore the Belfast “problem”. What I did detect from the various comments made to me, both written and oral and also upon reading the submissions made to the Belfast Inquiry heard by Mr James Toolan BL,

assistant Commissioner, was that in all probability the Provisional Recommendations for four constituencies covering Belfast published on 29 April 2004 would be supported by most people who attended the Belfast Inquiry on 5 September 2005.

6.3 It would of course have been possible for me to consider the question of there being only three constituencies in Belfast, to see what possible effect this might have had upon the constituencies I was required to look into. It is my opinion that such a task would have been enormously time consuming and in the light of the general support for there being four Belfast constituencies, I decided I would not follow that route. That is not to say that I have chosen simply to note that four constituencies will be confirmed upon the completion of Mr James Toolan's Inquiry and leave it at that. I have been very much aware of the implications of the proposed expansion of the Belfast constituencies in underpinning the Commission's Provisional Recommendations.

6.4 In conclusion therefore, my report into the five constituencies is based on the Commission's provisional recommendation that there should be four constituencies in Belfast.

6.5 Finally I would like to make one further observation with regard to the timing of the public Local Inquiry. In his representation to me on the 19 September 2005, Mr Jeffrey Donaldson MP MLA opined

“ in fact, it is regrettable, Mr Assistant Commissioner, that there has not been a ward boundary review in advance of the Parliamentary Constituency Boundary Review. As you know, the electoral ward is the basic building block of the parliamentary constituency. Since the last review there have been significant population shifts across Northern Ireland, and the Commission is trying to assemble or review parliamentary constituency boundaries which, at times, have difficulty in reflecting those population changes.”

- 6.6 The view expressed by Mr Donaldson is one that I, and I would suggest many others, agree with. Had it been possible to arrange a sequentially more logical timing of a review of ward boundaries, the constituencies and perhaps other related matters such as the Review of Public Administration, I think the outcome of all of the boundary reviews would have been a more accurate reflection of the changes required in Northern Ireland.

LAGAN VALLEY CONSTITUENCY

- 7.1 The Provisional Recommendations of the Boundary Commission in so far as they relate to the Lagan Valley constituency are as follows:

1. The Lisburn LGD wards of Derryaghy, Dunmurry and Seymour Hill at present in the Lagan Valley constituency are to be transferred into the Belfast West constituency.
2. The Craigavon LGD ward of Aghagallon is to be transferred into the Lagan Valley constituency.

The outcome of these recommendations will be that the Lagan Valley constituency will have an electorate of 62,707 showing a 2.9% deviation above EQ.

- 7.2 Prior to and at the Inquiry I received written submissions relevant to this constituency from:

John Auld
David McCarthy – Lodge Secretary, Dunmurry True Blues LOL
William A Leathem – Chairman, Democratic Unionist Party Lagan Valley Association
Jeffrey Donaldson MP, MLA – Member of Parliament for Lagan Valley.
Angela Smith – Chairperson, Seymour Hill and Conway Residents’ Association.
Jackie Stewart – Chairperson, Dunmurry Community Association
Pat Doherty MLA – Vice President, Sinn Féin
Cyril Donnan – Policy Director, Ulster Unionist Party
Stephen Farry – General Secretary, Alliance Party of Northern Ireland
Stephen Barr – on behalf of Ulster Unionist Party

- 7.3 At the Inquiry oral submissions and questions were received from:

Stephen Farry – General Secretary, Alliance Party of Northern Ireland
Sean Begley – representing Sinn Féin
Edwin Poots MLA – Lagan Valley
Ken Armstrong – Secretary, Lagan Valley Ulster Unionist Association
Richard Bullick – representing Belfast DUP MPs and MLAs
Jeffrey Donaldson MP, MLA – Member of Parliament for Lagan Valley
Mark Black – Development Worker, Seymour Hill and Conway Residents’ Association
William Thompson – Secretary, Dunmurry Community Association
Dolores Kelly MLA – Upper Bann
James McCammick MBE, JP – Hon Secretary, Upper Bann Ulster Unionist Association

Crumlin ward

- 7.4 I would first like to deal with a number of suggestions that came forward for me to consider concerning wards not directly affected by the Provisional

Recommendations. Mr Sean Begley on behalf of Sinn Féin proposed the inclusion in the Lagan Valley constituency of the Antrim LGD ward of Crumlin. He argued that there was a natural affinity that the community of that ward had with the neighbouring wards, notably Glenavy. He said that:

“There exists a strong social, economic and communal bond between the neighbouring wards, which is reflected in the organic parish links of many of the churches in the area. For the Glenavy and lough shore communities, Crumlin is the local and socialising centre in the region. The local schools in Crumlin, from both denominations, include a considerable intake of pupils from the Glenavy and Lough Shore areas at both primary and secondary school level. With demographic increases being expanded in both villages the links between the villages and surrounding rural areas will grow stronger.”

7.5 Questioned by Dr Stephen Farry if he thought it was justifiable “to arbitrarily take one ward from Antrim Borough Council and break up all of Antrim Council being within South Antrim to bring one ward across into Lagan Valley”, Mr Begley responded that “it would not be unnatural for a ward to be broken off in terms of achieving the goal of a constituency and the quota that is needed in a constituency.”

7.6 I then asked for Mr Begley’s comments on the suggestion put forward by Councillor Thomas Burns – “In view of the boundary changes I would like to see Glenavy to Aghagallon fall into the eastern side of the lough shore and be brought into the South Antrim constituency.” His response was that Crumlin

had a natural affinity with Glenavy and should come into the Lagan Valley constituency.

7.7 Later I asked Mr Jeffrey Donaldson for his comments on this proposal. Whilst acknowledging that Glenavy and Crumlin were very closely associated he said that he was not aware that the people in Crumlin had articulated a great desire to change their parliamentary constituency. He went on to say that to transfer one ward out of Antrim LGD into a separate parliamentary constituency would leave Crumlin “somewhat cut off in certain respects, as being the only ward of Antrim Borough Council that would not be in the South Antrim constituency.”

7.8 Mr John Auld in his written submission dated 10 May 2004 provided a very comprehensive review of the Provisional Recommendations and he did not suggest that the Crumlin ward should be transferred into Lagan Valley.

7.9 Likewise the Alliance Party’s submission made no suggestion that this ward should be transferred to Lagan Valley.

7.10 In conclusion, therefore, whilst I accept that there is some merit in the argument presented to me by Mr Sean Begley on behalf of Sinn Féin I am not persuaded by it. I did not receive any evidence of there being any pressing desire that the electorate of that ward wanted to be included in the Lagan

Valley constituency. That, together with the consequences of detaching a ward from the Antrim LGD, are points which greatly outweigh the arguments presented by Mr Begley for the proposal.

Aghagallon ward

7.11 Located in the Craigavon LGD the ward has an electorate of 2,596. Presently it forms part of the Upper Bann constituency. It is located at the south east corner of Lough Neagh. To the east it abuts on or against the Lagan Valley constituency ward of Ballinderry; to the south and south west by wards in the Upper Bann constituency.

7.12 Written submissions both prior to and at the Inquiry relating to the provisional recommendation to transfer this ward to Lagan Valley were received from:

John Auld.
Pat Doherty – Vice President, Sinn Féin
Cyril Donnan – Policy Director, Ulster Unionist Party
Stephen Farry – General Secretary, Alliance Party for Northern Ireland
Gerry Cosgrove – General Secretary, Social Democratic and Labour Party
Stephen Barr – on behalf of Ulster Unionist Party

7.13 At the Inquiry oral representations were made by the following persons:

Stephen Farry – General Secretary, Alliance Party of Northern Ireland
Sean Begley – representing Sinn Féin
Edwin Poots MLA – Lagan Valley
Jeffrey Donaldson MP, MLA – Member of Parliament for Lagan Valley
James McCammick MBE, JP – Hon Secretary, Upper Bann Ulster Unionist Association
Dolores Kelly MLA – Upper Bann

7.14 Having read the written submissions and having taken note of the alteration which in the course of the Inquiry the Alliance Party made to their written

submission, there was only one political party and one local political association voicing support for the provisional recommendation. Mr Sean Begley stated his party's position very simply as follows:

“...given its close proximity to the Lagan Valley constituency and its social and its commercial link with the neighbouring wards in Lagan Valley. We would endorse the view that the ward fits naturally into Lagan Valley constituency.”

7.15 Mr James McCammick, the honorary secretary of Upper Bann Ulster Unionist Association told me that his particular party had no objections whatever to the proposals in relation to Aghagallon.

7.16 Everyone else who either presented a written submission or spoke to the proposal at the Inquiry expressed opposition to it. Mr Edwin Poots, Lagan Valley DUP Assembly Member and alderman in Lisburn City Council put it, I think very succinctly:

“If we move first to Aghagallon, which it is proposed to bring into it in the first instance, I do not think either that there is significant support in the community in Aghagallon for being moved into the Lagan Valley constituency, nor that there is a significant desire on the part of Lagan Valley to receive the good folk from Aghagallon.”

- 7.17 Mr Jeffrey Donaldson MP MLA pointed out that the proposal would result in Aghagallon being the only ward from the Craigavon LGD that would be split from the Upper Bann constituency. He went on to point out the affinities of the ward with Lurgan and Craigavon.
- 7.18 It was, however, Councillor Dolores Kelly MLA who persuaded me that the recommendation should not be supported. She set out and described in considerable detail how the Aghagallon ward was very closely tied in many different ways with the Craigavon LGD in terms of the parishes in the ward, the ‘social, business and community’ links which exist, schooling and healthcare and accident and emergency hospital services. Moreover it was maintained that Aghagallon ward ‘actually is within Lurgan’ stretching into the town centre boundary. Altogether the links with Craigavon LGD appeared formidable by comparison with those links which might exist with Lisburn of which there was scant evidence.
- 7.19 It is my view that whilst not agreeing entirely with the comment of Mr John Auld in his written submission of 10 May 2004 that “it seems that this is being done purely to equalise electorates while ignoring the ward’s ties with Lurgan.” or the comment to the Inquiry made by Dr Stephen Farry about arbitrarily splitting off one ward from Craigavon and placing it in Lagan Valley, I am not satisfied that sufficient consideration has been given to the many points made by various people that this ward should remain as part of Upper Bann. I am persuaded by their arguments.

7.20 **I therefore recommend that the Aghagallon ward should not be transferred to the Lagan Valley constituency.** The consequence of so doing is to reduce the electorate of the Lagan Valley constituency by 2596 and increase that of Upper Bann by the same number.

Derryagh, Dunmurry and Seymour Hill wards

7.21 These three wards have an electorate of 3641, 2510 and 1701 respectively. They form part of the Lisburn LGD and at present form part of the constituency of Lagan Valley. The provisional recommendation is to transfer all three wards to the Belfast West constituency.

7.22 Prior to and at the Inquiry written submissions were received from:

John Auld
David McCarthy – Lodge Secretary, Dunmurry True Blues LOL
Gerry M McBride – Policy and Co ordination Officer, Down District Council.
William A Leathem – Chairman, Democratic Unionist Party Lagan Valley Association
Jeffrey Donaldson MP, MLA – Member of Parliament for Lagan Valley
Angela Smith – Chairperson, Seymour Hill and Conway Residents’ Association.
Jackie Stewart – Chairperson, Dunmurry Community Association
Pat Doherty MLA – Vice President, Sinn Féin
Cyril Donnan – Policy Director, Ulster Unionist Party
Stephen Farry – General Secretary, Alliance Party of Northern Ireland
Stephen Barr – on behalf of Ulster Unionist Party

7.23 At the Inquiry oral representations were received from:

Stephen Farry – General Secretary, Alliance Party of Northern Ireland

Sean Begley – representing Sinn Féin
Edwin Poots MLA – Lagan Valley
Ken Armstrong – Secretary, Lagan Valley Ulster Unionist Association
Richard Bullick – representing Belfast DUP MPs and MLAs
Jeffrey Donaldson MP, MLA – Member of Parliament for Lagan Valley
Mark Black – Development Worker, Seymour Hill and Conway Residents’ Association
William Thompson – Secretary, Dunmurry Community Association

7.24 In considering all of the representations there was only modest support for the Commission’s Provisional Recommendations. Sinn Féin in its written submission did not put forward any reasoned argument but Mr Begley at the Inquiry explained the links the three wards had with West Belfast. He also emphasised that “the only natural way that we can reach quota in Belfast is by looking at the Lagan Valley constituency and the three wards”.

7.25 The Ulster Unionist Party in its written submission understood the feelings in the ‘Dunmurry’ wards of Lagan Valley which would not welcome the proposal that the three wards should be transferred to the Belfast West constituency but they likewise recognised the necessity to increase the number of electors in that constituency. They also added that the recommendation would reunite the Dunmurry Cross DEA wards.

7.26 Dr Stephen Farry in the Alliance Party’s written submission argued both ways. If there were to be three seats in Belfast then these three wards should remain in Lagan Valley. However, if as seems, there are to be four seats in Belfast, then his party’s view was that the wards should be transferred to Belfast West. He said at the Inquiry that “While I am aware of the local opposition in

Dunmurry, Derryaghy and Seymour Hill to their going into West Belfast, I do not believe that the Boundary Commission has any alternative but to do that". He further commented that the people in both areas could move freely to Lisburn and into Belfast. Some people he suggested may have greater links to Belfast "accepting that more people in the area, as a whole, may identify with Lisburn. It is not a full 100% link to Lisburn".

7.27 Mr Richard Bullick acknowledged that whilst he supported the transfer of the three wards he was very much alive to the consequences thereof. He acknowledged that the view of the local population "is bound to be a relevant consideration, and a significant consideration, ..." I questioned him further on this and he acknowledged that whatever the solution it was bound to be unpalatable to some people.

7.28 This comment was very clearly evidenced by the considerable opposition both written and oral presented to the Inquiry for consideration. Numerous speakers voiced their deeply felt opposition to the proposals all of whom explained that they had no ties or connections of any shape or form with the constituency of Belfast West.

7.29 I do not propose to set out each and every one of those arguments presented by all of the individuals, parties and associations who voiced their opposition to the proposals, but the Commission's proposals were reported to have caused much consternation in the local community. Those living in the Seymour Hill

ward saw themselves as part of the Lagan Valley community running down to the edge of the River Lagan and looked to Lisburn for their civil and social life, exemplified in the commercial life and shopping links, schooling arrangements, work patterns and use of leisure and sporting facilities. Moreover, the Seymour Hill Estate was divided between Seymour Hill and the Lisburn LGD Lambeg ward. The Commission's proposal to transfer the Seymour Hill ward to the Belfast West constituency was seen to conflict with the development of its community infrastructure. Local health and social care services (based on Down Lisburn Trust) were also centred on and around Lisburn. None of the evidence presented to me was challenged or contradicted in the course of the Inquiry. A significant number of people had gone to the trouble of signing petitions opposing the Provisional Recommendations, submitting written objections and attending at the Inquiry. In considering all of the evidence given to me it would be my view that there was an overwhelming case in favour of retaining the ward of Seymour Hill in the Lagan Valley constituency.

- 7.30 With regard to the Dunmurry ward, there may well be a number of the electors within that ward who, whilst living in the village of Dunmurry on the eastern side of the railway line, have ties with the Seymour Hill ward and Lisburn. However, I do not see that there was any strongly argued case for keeping that ward within Lagan Valley and neither was there sufficient evidence given to me to suggest that this ward should be split between the two constituencies.

7.31 **I therefore recommend that the Dunmurry ward should be transferred to the Belfast West constituency and that the Seymour Hill ward remain in the Lagan Valley constituency.**

7.32 With regard to the ward of Derryaghly the situation is quite different. The evidence I received gave a clear indication that this particular ward could be regarded as being made up of two parts. To the north of the ward is the Lagmore housing estate. This is a relatively new housing development which has received some of the overspill of population mostly from West Belfast. Having heard comments about this particular area of the ward and having spent some time touring the area in person, I have no doubt that there are very close ties between this part of the ward and the Belfast West constituency. No one argued that it would be wrong for this part of the ward to be transferred to the Belfast West constituency.

7.33 The remainder of the ward does in my opinion have many significant ties and links with Lisburn and the Lagan Valley constituency. The ward seems to consist of two entirely separate parts – one closely linked to West Belfast and another to Lisburn and the Lagan Valley constituency. The latter part contains Milltown, and the Milltown and Conway Estates. A large section of the Conway Estate is regarded as part of the Seymour Hill area housing estate and comparable links to those already described in respect of the links which exist between residents of the Seymour Hill ward and Lisburn equally apply not only to the residents of the Conway Estate but Milltown and the Milltown Estate. Moreover, the possibility was put forward that with the growth in

population of the Derryaghy ward and the relatively smaller size of the Seymour Hill ward, the Conway Estate in the Derryaghy ward and the Seymour Hill wards might at some future point be brought together into a single ward following a review of the present ward structure, thereby recognising their strong links.

7.34 Mr Jeffrey Donaldson argued that the Derryaghy ward was one that deserved consideration for it to be split. He said ...

“that the Commission does have the power in certain circumstances to split an electoral ward between parliamentary constituencies, and I think, in the case of the Derryaghy ward that is justified having regard to the massive increase in the population of the ward. It is now the size of two wards in Lisburn city, therefore, you can justify it in population terms; but you can also justify it in terms of the outlook of the communities represented in the Derryaghy ward in that a substantial section of that ward looks to West Belfast – the Lagmore section and a substantial section looks toward Lisburn and the Lagan Valley constituency.”

7.35 In conclusion, therefore it would be my recommendation that the circumstances relating to the Derryaghy ward are such that it would be reasonable for the Commission to divide the ward as suggested by, amongst others, Mr Donaldson. He helpfully submitted a Northern Ireland Statistics and Research Agency map of the ward on which he drew an east to west line separating the northern and southern parts of the ward. Having visited the

locality, I consider that the line approximates to my own conclusion of where the ward should be divided.

- 7.36 By dividing the ward so that the northern part including Lagmore is separated from the remainder of the ward, the number of parliamentary electors on the 16 May 2003 enumeration date were as follows:

North of the line: 1645
South of the line: 1996
Total: 3641

- 7.37 If, having had regard to rules 5 and 6 of the Rules for Redistribution of Seats (affecting excessive disparity between neighbouring constituency electorates and accessibility) which leads me to recommend that the ward should be divided, the Commission are not in fact minded to do so, I recommend that the Derryaghy ward should remain in the Lagan Valley constituency.

- 7.38 Rule 7 of the Rules for Redistribution of Seats requires me to take account, so far as I reasonably can, of inconveniences attendant on alterations of constituencies and of any local ties which would be broken by such alterations. The evidence available to me is that a majority of electors of the Derryaghy ward would be so affected if it were to be transferred to the Belfast West constituency. I am therefore unable to support the Commission's provisional recommendation that the Derryaghy ward in its entirety should transfer to the Belfast West constituency.

- 7.39 I considered whether residents of the Seymour Hill ward, Milltown and the Conway and Milltown Estates in the Derryaghy ward were opposed to the

transfer of the wards to the Belfast West constituency by reason of an aversion towards being part of a constituency in which they felt that they would be denied effective political representation. I concluded, however, that the issue transcended party politics and that the views expressed to me were based on the strong local ties which residents have to Lisburn and the facilities it offers, as well as its close geographical proximity.

- 7.40 The impact of these recommendations on boundaries, if accepted by the Commission, will be an electorate on the enumeration date of 63,808 and 4.7% above the EQ.

UPPER BANN CONSTITUENCY

- 8.1 The Provisional Recommendations of the Commission as they relate to the Upper Bann constituency are as follows:

1. The Banbridge LGD ward of Loughbrickland at present within the Upper Bann constituency be transferred to the South Down constituency.
2. The Craigavon LGD ward of Aghagallon at present in the Upper Bann constituency be transferred to the Lagan Valley constituency.

- 8.2 I have already set out my reasons for recommending that the Aghagallon ward should remain in the Upper Bann constituency.

Loughbrickland ward

- 8.3 Prior to and at the Inquiry I received written submissions from:

John Auld
Eddie McGrady MP, MLA and others – SDLP South Down constituency
Robert Gilmore – Chief Executive, Banbridge District Council
Gerry M McBride – Policy and Co ordination Officer, Down District Council.
Pat Doherty MLA – Vice President, Sinn Féin
Cyril Donnan – Policy Director, Ulster Unionist Party
Stephen Farry – General Secretary, Alliance Party of Northern Ireland
Stephen Barr – on behalf of Ulster Unionist Party
David Simpson MP – Member of Parliament for Upper Bann
James McCammick MBE, JP – Hon Secretary, Upper Bann Ulster Unionist Association
Samuel Gardiner MBE, MLA – Upper Bann
Jim Wells MLA – South Down Association of the Ulster Democratic Unionist Party

8.4 At the Inquiry oral representations and questions were received from:

David Simpson MP – Member of Parliament for Upper Bann
Jim McIlroy – Chairman, Banbridge District Council
David Nichol – Chairman, Scarva and District Community Association
Stephen Farry – General Secretary, Alliance Party of Northern Ireland
James McCammick MBE JP – Hon. Secretary, Upper Bann Ulster Unionist Association
Jim Wells MLA – South Down Association of the Ulster Democratic Unionist Party

8.5 Written submissions were fairly evenly divided both in support of or against the recommendation to transfer the ward.

8.6 Mr. John Auld simply suggested that the transfer should be made. Sinn Féin and the Alliance Party likewise. None set forward any arguments one way or the other. However, at the Inquiry, Dr Stephen Farry raised the problem that would be created by Aghagallon remaining in Upper Bann along with the Loughbrickland ward and questioned how that increase in the electorate of the constituency could be dealt with by the Commission.

8.7 Turning to both the written and other submissions made at the Inquiry, once again those against the recommendation, in my opinion, set out a very strong argument for maintaining the present arrangements by highlighting in considerable detail the links between the ward and Craigavon in particular and the Upper Bann constituency in general. These included Councillor John McIlroy, Mr David Nichol and Mr James McCammick who declared that the Banbridge District Council were unanimously opposed to the ward being detached from the Upper Bann constituency. Leisure, sporting and shopping facilities as well as schooling arrangements attracted Loughbrickland and Scarva residents to Banbridge and beyond that the industrial, commercial retail, community and social links were with Craigavon, Portadown and Lurgan. Planning, roads and water services were also based within the Upper Bann constituency. Local newspaper readership was cited to demonstrate local ties and the case in favour of the ward remaining in the Upper Bann constituency was supported by a petition presented at the Inquiry containing 269 signatures of electors resident in the ward. Counter arguments were that the ward existed as an “enclave” within the Upper Bann constituency and had originally been included in it to achieve a viable constituency electorate having hitherto been a part of the South Down constituency from 1922 to 1983, and had a closeness to the heartlands of that constituency.

8.8 Alderman David Simpson MP considered that few if any social or economic links existed between constituents in the Loughbrickland ward with the South

Down constituency, and few would consider using any of the main towns in South Down for any basic service or practical need. I was also persuaded, by the arguments set out in the response of the South Down SDLP and its reasons why certain areas had been excluded from its proposed model for a new constituency of South Down, that the ward of Loughbrickland naturally belongs to the Upper Bann constituency. They said that there were few economic or social links with South Down or with the main towns of Downpatrick, Newcastle or Warrenpoint.

8.9 **My recommendation therefore is that the ward of Loughbrickland should not be transferred to the South Down constituency but should remain in the Upper Bann constituency.**

8.10 The effect of all of this on the Upper Bann constituency will be an electorate on the enumeration date of 68,806 and 12.9% above the EQ.

NEWRY AND ARMAGH CONSTITUENCY

9.1 The Provisional Recommendations of the Commission are that the Newry and Mourne LGD wards of St Mary's, St Patrick's and Windsor Hill at present in the Newry and Armagh constituency be transferred to the South Down constituency.

St. Mary's, St. Patrick's and Windsor Hill wards

9.2 Prior to and at the Inquiry written submissions were received from:

John Auld
Gerard McGivern – Director, District Development, Newry and Mourne District Council
Gerry M. McBride – Policy and Co-ordination Officer, Down District Council
Eddie McGrady MP, MLA and others – SDLP South Down constituency
Pat Doherty MLA – Vice President, Sinn Féin
Cyril Donnan – Policy Director, Ulster Unionist Party
Stephen Farry - General Secretary Alliance Party of Northern Ireland
Gerry Cosgrove – General Secretary, SDLP
Jim Wells MLA – South Down Association of the Ulster Democratic Unionist Party
Stephen Barr – on behalf of Ulster Unionist Party
Newry and Mourne District Council

9.3 At the Inquiry oral representations and questions were received from:

Jim Wells MLA – South Down Association of the Ulster Democratic Unionist Party
Tony McGleenan – Barrister at Law representing South Down SDLP
Danny Kennedy MLA –representing Ulster Unionist Party
Michael Keogh – Barrister at Law representing Newry and Mourne District Council
Kenneth Benoit – representing Newry and Mourne District Council
Sean Begley – representing Sinn Féin
Paul Campbell – Sinn Féin
Maurice Morrow MLA – Fermanagh and South Tyrone
Gerry M. McBride – Policy and Co-ordination Officer, Down District Council

9.4 With the exception of only one or two persons and parties, the overwhelming criticism of the Commission's recommendation was that it would be wrong to split the recently created City of Newry by transferring these three wards into the constituency of South Down. I was presented with an impressive and very well argued paper by Newry and Mourne Council with Mr Michael Keogh BL speaking to the submission and highlighting the unfortunate consequences that would result in splitting the City in the way proposed. Splitting the urban area

of Newry City would have a severe social and economic impact, and ran contrary to the recent grant of city status to Newry and was “unfair and unreasonable”. Mr Keogh argued, moreover, that the Commission’s proposals failed to recognise local geography and the inconveniences which would be brought about by the proposed transfer of the three wards, and the undue disturbance this would cause established municipal local ties within the City.

9.5 I can well understand the sentiment surrounding arguments affecting the recently granted city status to Newry and that because of this the City was deserving special consideration, but other cities comprise two or more parliamentary constituencies and some uncertainty surrounded the precise boundaries of the City. Although not explicitly expressed at the Inquiry that the electors of the St Mary’s, St Patrick’s and Windsor Hill wards saw themselves as an integral part of the City in their daily lives and that neither the Newry canal nor the Newry River in the city centre effectively divided it into distinctly separate entities, I took this to be the case. Certainly no evidence emerged to the contrary.

9.6 Mr Keogh was very ably assisted by Dr Kenneth Benoit who had carried out a detailed exercise on behalf of Newry and Mourne Council in drawing up an alternative plan that would satisfy the Commission but avoid splitting the City and having these three wards form part of the South Down constituency.

9.7 The proposals put forward by Dr Benoit and confirmed by him were arithmetically driven and did not address local ties. His terms of reference

were limited to maintaining the integrity of the urban area of Newry City and commensurately reducing the electorate of the Newry and Armagh constituency by removing one or more Armagh LGD wards from the west of the constituency to neighbouring constituencies rather than the three Newry Town DEA wards.

9.8 Had I been minded to give consideration to the totality of the Newry and Mourne submission it would have involved the movement of a number of wards to the west of the Newry and Armagh constituency currently in the constituencies of Mid Ulster and Fermanagh and South Tyrone. The Provisional Recommendations that these two constituencies should remain unaltered seem to have been broadly welcomed and there was no call for a public Inquiry into those proposals. Had I decided to give consideration to the transfer of wards into those two constituencies, the people of Fermanagh and South Tyrone and Mid Ulster would have been deprived of the opportunity of objecting or at least making submissions as was pointed out by Mr Sean Begley.

9.9 I made it clear that I was unwilling to proceed along that route and deprive those people of the opportunity to raise objections. I would like at this stage to put on record my appreciation for the considerable efforts made by Councillor Maurice Morrow MLA for Fermanagh and South Tyrone in coming to the Inquiry at extremely short notice to raise his objections to consideration being

given to the transfer of wards that would have impacted on his constituency and those of his neighbours.

9.10 As a consequence therefore I have chosen to disregard all other proposals presented to me for the Newry and Armagh constituency save those relating to the-three wards. In conclusion, therefore, I am satisfied that an overwhelming case has been made for the wards of St Mary's, St Patrick's and Windsor Hill to remain in the constituency of Newry and Armagh.

9.11 **My recommendation therefore is that the wards of St. Mary's, St. Patrick's and Windsor Hill should remain in the constituency of Newry and Armagh.**

Donaghmore ward

9.12 The Donaghmore ward lies to the north of Newry City. Parts of the ward were included in the Newry and Armagh constituency until effect was given to the recommendations made by the Boundary Commission in 1995. Down District Council proposed that the ward should be transferred from the South Down to the Newry and Armagh constituency. I am satisfied that, in the absence of any other representations to this effect, the proposal was essentially intended to reduce the electorate of the South Down constituency and thereby limit the loss of Down LGD wards to the Strangford constituency with which I deal later. **Accordingly, I recommend that the Donaghmore ward should remain part of the South Down constituency.**

Derryleckagh ward

9.13 Significant peripheral residential development has occurred in the Derryleckagh ward which lies adjacent to the wards of St Mary's, St Patrick's and Windsor Hill and those living in these areas may well feel that they are as much a part of the urban area of Newry City as those living in those three wards. However, no written representations were received on this aspect and when invited to express a view on the matter at the Inquiry, neither the sitting Member of Parliament for the South Down constituency nor Mr Keogh representing the Newry and Mourne District Council considered the developments were of such an extent that this required consideration to be given to that ward transferring to the Newry and Armagh constituency. Both pointed to the fact that the ward remained a largely rural one. Mr Bullick, representing Belfast DUP MPs and MLAs, shared some of my concern but the matter is not one on which I can make a recommendation other than to draw it to the attention of the Commission.

9.14 The effect of this on the constituency of Newry and Armagh will be an enumeration date electorate of 68,730, 12.7% above the EQ.

SOUTH DOWN CONSTITUENCY

10.1 The Provisional Recommendations of the Commission in so far as they relate to the South Down constituency are as follows:

1. The Rowallane DEA wards of Crossgar and Kilmore together with the whole of the Ballynahinch DEA but not the ward of Seaforde should be transferred from the South Down to the Strangford constituency.

2. To equalise the electorates of the remaining parts of the South Down constituency with adjacent constituencies, the Newry and Armagh constituency Newry Town DEA wards of St Mary's, St Patrick's and Windsor Hill should transfer to the South Down constituency along with the Banbridge LGD ward of Loughbrickland from the Upper Bann constituency.

The effect of these recommendations would be that South Down would have an electorate of 65,496 (7.4% above the EQ).

- 10.2 Prior to and at the Inquiry I received written submissions from:

John Auld
Eddie McGrady MP, MLA and others – SDLP South Down constituency
Pat Doherty MLA – Vice President, Sinn Féin
Cyril Donnan – Policy Director, Ulster Unionist Party
Stephen Farry - General Secretary, Alliance Party of Northern Ireland
Gerry Cosgrove – General Secretary, SDLP
Jim Wells MLA – South Down Association of the Ulster Democratic Unionist Party
Gerry M McBride – Policy and Co-ordination Officer, Down District Council
Paul Campbell – Sinn Féin
Stephen Barr – representing Ulster Unionist Party

- 10.3 At the Inquiry oral submissions and questions were received from:

Jim Wells MLA – South Down Association of the Ulster Democratic Unionist Party
Stephen Farry - General Secretary, Alliance Party of Northern Ireland
Gerry M McBride – Policy and Co-ordination Officer, Down District Council
Richard Bullick – representing Belfast DUP MPs and MLAs
Danny Kennedy MLA – representing Ulster Unionist Party
Michael Keogh – Barrister at Law representing Newry and Mourne District Council
Kenneth Benoit - representing Newry and Mourne District Council
Sean Begley – representing Sinn Féin
Paul Campbell – Sinn Féin
Tony McGleenan – Barrister at Law representing South Down SDLP
Margaret Ritchie – South Down SDLP

- 10.4 I have dealt elsewhere with the recommendation that the three Newry wards and the ward of Loughbrickland should not be transferred to South Down. I therefore intend to deal with the arguments and discussion revolving around the recommendation that the wards of Crossgar and Kilmore, and Ballymaglave, Ballynahinch East, Drumaness and Dunmore should transfer from the South Down to the Strangford constituency.
- 10.5 Mr John Auld felt that if the City of Newry were kept intact there would be no need to transfer so many Down District Council wards from South Down to Strangford and at the very least Drumaness and Dunmore should remain part of the South Down constituency.
- 10.6 Sinn Féin in its written representation was supportive of the transfer of the wards to Strangford although it suggested that Newry wards should transfer to South Down thereby splitting the City.
- 10.7 The UUP submission simply noted the proposed transfers but passed no comment one way or the other about the recommendation.
- 10.8 The Alliance Party, in its radical counterproposals for three parliamentary constituencies in Belfast and the creation of a new Mid Down constituency, recognised the need for a change to the South Down constituency but their

proposals, in my opinion, whilst interesting and perhaps farsighted, gathered virtually no support and I am therefore not minded to endorse either of them.

- 10.9 The written submission handed in to the Inquiry on behalf of Belfast DUP MPs and MLAs simply pointed out the impact of the realignment of the Belfast wards, the inclusion of new ones and the inevitable ripple effect this would cause. Recognising the impact of the proposed expansion of both the Belfast East and Belfast South constituencies and with Strangford being presently 8.7% over the EQ and South Down 15.1% over quota – “this essentially means that Strangford will naturally move southwards.”
- 10.10 In my opinion the comments from those various interested parties, do not assist me greatly in determining whether or not the recommendations in respect of the wards between South Down and Strangford should be supported, varied or rejected. On the other hand there was a very considerable amount of carefully presented written and oral argument to the Inquiry that the recommendations should not be supported.
- 10.11 I feel that the submission made by Dr Tony McGleenan BL on behalf of South Down SDLP was most useful in highlighting a number of very important factors that I, as assistant Commissioner, should be mindful of in considering the Provisional Recommendations. For example he highlighted the very wide discretion afforded to me by the Parliamentary Constituencies Act 1986 and in

particular that under rule 7 of the Rules for Redistribution of Seats, although the Commission were:

“...not under a duty to aim at giving full effect in all circumstances to the above Rules, the Commission shall take account, so far as they reasonably can, of the inconveniences... and of any local ties”

He went on to argue that local ties must actively be weighed in the balance and said that there appeared to have been inadequate and inappropriate weighting of local ties and inconvenience on the face of the Provisional Recommendations.

10.12 He further drew my attention to paragraph 2 in the Provisional Recommendations where it stated that:

“The Commission have sought to limit the number and scale of proposed boundary changes and to preserve the integrity of local government districts (LGDs) and district electoral areas (DEAs).”

He said that the model proposed by South Down SDLP had endeavoured to reflect all of these considerations by emphasising the importance of local government districts. Dr McGleenan then drew my attention to how the question of the treatment of the integrity of Down District Council had exercised the Boundary Commission previously.

10.13 Dr McGleenan referred me to the Report by Mr Justice Hart (as he now is) published in February 1981. The problem facing him was similar to that facing me. He read various extracts from that Report where he, Mr Justice Hart concluded in 1981 in paragraph 92.

“I am satisfied that there is a substantial and widely based degree of support for the retention of the wards of Saintfield, Market and Ballymaglave with the remaining Down District Council wards in South Down, a retention which in my opinion is justifiable in light of the factors which I have outlined above.”

10.14 Mr Brian Fee QC had to visit the same problem in 1994 when he was assistant Commissioner. He likewise recommended that the Down District Council wards remain within the South Down constituency. Dr McGleenan did however acknowledge that the Boundary Commission did not ultimately accept that recommendation. The point however is that the arguments before me at my Inquiry have been played out on two previous occasions and essentially the strength of Dr McGleenan’s argument at the Inquiry was that no attempt should be made to “fracture” the local government district. He went on to say that one should not rely solely on the arithmetical argument as being the basis for determining which wards should or should not be transferred between constituencies – weight should be given to the question of local ties and inconvenience.

10.15 I do not propose to rehearse all of the features which collectively go to raise the importance of local ties which he said should be given significant weight in the decision making process. Dr McGleenan did however refer me to the physical geography of the South Down constituency, its tourism and several major projects, transport, communications, education, recreation, hospitals and

newspaper circulation. He gave instances including the minimal sporting and educational links between schools in the South Down and Strangford constituencies and that the poor public transport links between Downpatrick and Newtownards were reflective of the absence of demand; it was later helpfully verified to me that no direct bus service exists.

10.16 Mr Paul Campbell speaking on behalf of South Down Sinn Féin likewise pointed out the effect of the Provisional Recommendations in dividing the Down District Council area. He highlighted the paucity of economic links, community interaction or affiliation with the Strangford constituency and the Ards Peninsula.

10.17 Mr Gerry McBride, Policy and Co-ordination Officer with Down District Council, addressed the Inquiry on its second day and set out again very helpfully the Council's objections to the Provisional Recommendations. He, in addition to making similar points to those made by later speakers as referred to above, highlighted the impact of the transfer of the wards of Crossgar and Kilmore. He said that there were clear ties between those areas and Downpatrick, that they naturally looked to Downpatrick for employment, shopping and educational opportunities and that transportation links were also along the A7, a main arterial route for Down district.

10.18 Turning to Ballynahinch he said that there was very little in common with the areas of Strangford but interestingly he seemed to indicate that it had greater

connections southwards to Newry and Mourne LGD, that local electors in the Ballynahinch area are more likely to work in Down district, Lisburn or even Belfast rather than look to Newtownards for employment opportunities. In terms of health provision he said that “all of Down district is linked through the Down Lisburn Health and Social Services Trust. The links are therefore to the north-west in health terms and not north-eastwards.”

10.19 Mr McBride’s oral submission and also the written submission made to me at the Inquiry, whilst emphasising yet again the importance of not transferring these wards to Strangford constituency, did in my opinion highlight that there are a number of wards around the periphery of the present South Down constituency where ties which Dr McGleenan urged me to give great weight to, are perhaps not as strong as elsewhere. It is my opinion that the Boundary Commission in formulating their Provisional Recommendations have not proceeded on the basis of arithmetic argument alone. I believe they have made a genuine attempt to ensure that due weight is given to all of the relevant factors that must be considered before devising new boundaries, namely

- approximately equal electorate
- respect for natural communities, and
- keeping district electoral areas intact.

10.20 That being the case, whilst I was impressed by the force of the argument presented by Dr McGleenan and others that these wards should not be transferred to the Strangford constituency, I believe that as one approaches the outer edges of the South Down constituency the argument, perhaps not

unnaturally, becomes weaker and that the weighting to be given to local ties is decreased. I am satisfied, however, that well constructed arguments have been put forward to persuade me that it would be inappropriate to endorse the provisional recommendation whereby all the wards of Crossgar and Kilmore, and Ballymaglave, Ballynahinch East, Drumaness and Dunmore, be transferred to the Strangford constituency.

10.21 I am supportive of the arguments that the wards of Dunmore, Drumaness and Crossgar should all remain in South Down. They have, in my opinion, close ties with Downpatrick and Down District. The ties are of many types – local government, education, health, recreation, shopping, and transport. On the other hand I am not convinced that the ties are anything like so strong in respect of the wards of Ballymaglave, Ballynahinch East and Kilmore. It was very fairly pointed out at the Inquiry how Ballynahinch in particular appeared to have ties in other directions, and not exclusively towards Downpatrick. That being the case, **my recommendation is that only these three wards of Ballymaglave, Ballynahinch East and Kilmore should be transferred from the South Down to the Strangford constituency.**

10.22 In making this recommendation I am aware that residential development to the south of Ballynahinch and in the Dunmore ward exacerbates the difficulties caused by an already eccentric boundary between the Ballymaglave and Ballynahinch East wards and the Dunmore ward. It is less than ideal as a constituency boundary. This boundary requires urgent review and remedy to

avoid confusion amongst electors and those canvassing for and standing for election.

10.23 By retaining the wards of St Mary's, St Patrick's and Windsor Hill in the Newry and Armagh constituency and the ward of Loughbrickland in the Upper Bann constituency, the electorate of the proposed South Down constituency on the enumeration date will be reduced by 1514, 2011, 1825 and 1717 electors respectively. By transferring the wards of Ballymaglave, Ballynahinch East and Kilmore to the Strangford constituency the electorate of the South Down constituency will be reduced by 2004, 1544 and 2095 electors respectively. The effect of this on the constituency of South Down will be an enumeration date electorate of 64,530, 5.8% above the EQ.

STRANGFORD CONSTITUENCY

11.1 The Provisional Recommendations of the Boundary Commission in so far as they relate to the Strangford constituency are as follows:

1. The Castlereagh LGD wards of Ballyhanwood, Carrowreagh, Carryduff East, Carryduff West, Dundonald, Enler and Graham's Bridge are to be transferred to the Belfast East and Belfast South constituencies.
2. The wards of Ballymaglave, Ballynahinch East, Crossgar, Drumaness, Dunmore and Kilmore are to be transferred to the Strangford constituency.

The effect of these recommendations would be that the Strangford constituency would have an electorate of 63,564 (4.3% above the EQ).

11.2 Prior to and at the Inquiry I received written submissions from:

John Auld
Eddie McGrady MP, MLA and others – SDLP South Down constituency
Pat Doherty MLA – Vice President, Sinn Féin
Cyril Donnan – Policy Director, Ulster Unionist Party
Stephen Farry – General Secretary, Alliance Party of Northern Ireland
Gerry Cosgrove – General Secretary, SDLP
Jim Wells MLA – South Down Association of the Ulster Democratic Unionist Party
Gerry M McBride – Down District Council
Paul Campbell – Sinn Féin
Richard Bullick – representing Belfast DUP MPs and MLAs

11.3 At the Inquiry oral submissions and questions were received from:

Stephen Farry - General Secretary, Alliance Party of Northern Ireland
Gerry M McBride – Policy and Co-ordination Officer, Down District Council
Richard Bullick – representing Belfast DUP MPs and MLAs
Danny Kennedy MLA – representing Ulster Unionist Party
Sean Begley – representing Sinn Féin
Paul Campbell – Sinn Féin
Tony McGleenan – Barrister at Law representing South Down SDLP
Ronnie Ferguson – Councillor, Ards District Council

11.4 I have dealt with the arguments for and against the provisional recommendation that the following wards should be transferred from the South Down to the Strangford constituency – Crossgar and Kilmore, and Ballymaglave, Ballynahinch East, Dunmore and Drumaness. I therefore do not intend to recapitulate those arguments or my recommendations.

11.5 I think it would be fair to say that there was remarkably little focus on the part of any individual party or association on how the Provisional Recommendations might impact on the Strangford constituency. The Castlereagh LGD wards being transferred to Belfast East and Belfast South constituencies were not an issue in so far as the Inquiry was concerned. Only

fleeting comment was made from time to time, and I gained the impression that there was general acceptance that there was logic and a strong case for those wards being transferred as recommended by the Commission. I fully understand the reasons behind the Commission's Provisional Recommendations in this respect, and as there was no groundswell of objection or protest, I do not propose to make any further comment upon the loss by the Strangford constituency of those wards.

11.6 The written submissions to me tended simply to touch upon the impact of the recommendations on the Strangford constituency rather than present any arguments for or against them. No one voiced any deeply held convictions that the recommendations were fundamentally flawed other than their impact upon the South Down constituency.

11.7 The Alliance Party put forward some very interesting proposals which would completely "redesign" the South Down constituency but as already stated above there was no great support for this proposal, and I simply noted it.

11.8 Councillor Ronnie Ferguson spoke on the first day of the Inquiry and he drew my attention to the possible alteration to the Strangford constituency involving Ards LGD wards presently in the North Down constituency. The focus of his argument was that at the last Review of Parliamentary constituencies three Strangford constituency wards had been transferred to North Down – Donaghadee North, Donaghadee South and Millisle. He said that the

electorate in those three wards would look more to Newtownards than Bangor and he suggested that consideration be given to transferring them back into the Strangford constituency. If I were to accede to his suggestion whilst clearly increasing the number of electors in Strangford, the number of electors in North Down would be reduced, something I would be reluctant to do since the North Down constituency is already below quota with a proposed enumeration date electorate of 57,435 and 5.8% below the EQ.

11.9 The constituency of North Down lies outside the immediate terms of reference of my Inquiry save in regard to any ripple effect upon that constituency generated by change elsewhere. I therefore make no recommendation other than to record the views put to the Inquiry.

11.10 At the end of the day, I am satisfied that the Provisional Recommendations of the Boundary Commission in so far as they affect the remainder of the constituency of Strangford should not be interfered with. **I recommend that the wards of Ballynahinch East, Ballymaglave and Kilmore should be transferred into the Strangford from the South Down constituency and that the Castlereagh LGD wards should be transferred out and into the constituencies of Belfast East and Belfast South.**

DEVIATION FROM ELECTORAL QUOTA

12.1 In their submission, counsel representing the Newry and Mourne District Council argued that the Rules for Redistribution for Seats were far from rigid and conferred on the Commission “a great deal of discretion and flexibility”,

and that the Commission was not fettered by a slavish adherence to electoral quota deviation targets such as the 7.5% range of the Commission's Provisional Recommendations or a self-imposed 10% tolerance identified by the Commission in their first instance aim referred to in their published Statement of Reasons. Unfavourable comparison was drawn between the statutory discretion exercised by the Boundary Commission for England and the narrower "self-imposed" limit adopted in Northern Ireland. As already mentioned, Dr McGleenan representing South Down DLP made similar if not identical points.

- 12.2 I noted the Commission's willingness during their last Periodical Review to recommend constituencies within an 11% tolerance range. Rule 5 of the Rules for Redistribution of Seats provides that the electorate of any constituency should be as near the EQ as is practicable but is tempered by considerations contained in rule 7 affecting inconveniences attendant on alterations of constituencies and local ties which would be broken by such alterations. I consider that the inconveniences and local ties which would be broken by several of the alterations to constituencies proposed by the Commission combined with geographical considerations referred to in rule 6 constitute grounds for the Commission to consider disparities between constituency electorates which are wider than might ordinarily be expected in Northern Ireland. It is with this in mind that I have come to recommend constituencies whose electorates are significantly higher than those proposed by the Commission in their Provisional Recommendations.

CONSTITUENCY NAMES AND DESIGNATION

- 13.1 No changes were proposed in any of the written or oral representations I received affecting present constituency names or their designation as county constituencies. Accordingly, I recommend that the names of the constituencies concerned should remain unaltered and that they should remain county constituencies.

SUMMARY

In conclusion, I summarise my recommendations as follows:

- 14.1 The Lisburn LGD ward of Dunmurry should transfer from the Lagan Valley to the Belfast West constituency but the Lisburn LGD ward of Seymour Hill should remain in the Lagan Valley constituency. The ward of Derryagh should be divided between the Belfast West and Lagan Valley constituencies with the effect that the Lagmore Estate electors at the north of the ward transfer to the Belfast West constituency whilst the majority of electors in Milltown and the Milltown and Conway Estates remain in the Lagan Valley constituency. If the ward is not divided, I recommend that the ward remain in the Lagan Valley constituency.
- 14.2 The Craigavon LGD and Banbridge LGD wards of Aghagallon and Loughbrickland should not transfer to the Lagan Valley and South Down constituencies respectively but be retained in the Upper Bann constituency.
- 14.3 The Newry and Mourne LGD wards of St Mary's, St Patrick's and Windsor Hill should not transfer to the South Down constituency but be retained in the Newry and Armagh constituency.

- 14.4 The Down LGD wards of Crossgar, Drumaness and Dunmore should not transfer to the Strangford constituency but be retained in the South Down constituency with only the Down LGD wards of Ballymaglave, Ballynahinch East and Kilmore transferring to the Strangford constituency.
- 14.5 The Castlereagh LGD wards of Ballyhanwood, Carrowreagh, Carryduff East, Carryduff West, Dundonald, Enler and Graham's Bridge should transfer from the Strangford to the Belfast East and Belfast South constituencies
- 14.6 The Commission are invited to consider my observations affecting the Ards LGD wards at present in the North Down constituency and particularly the Millisle ward, and the residential 'creep' which has occurred in the Newry and Mourne LGD ward of Derryleckagh and the Down LGD ward of Dunmore.

CONCLUSION

- 15.1 I would like to record my appreciation and gratitude for all the work and effort so many people have put into the examination of the boundaries of the constituencies of Lagan Valley, Upper Bann, Newry and Armagh, South Down, and Strangford. I cannot speak too highly of the enormous amount of work the members of the Boundary Commission for Northern Ireland have put into this exercise. Many members of the public have gone to great lengths to go through the documentation and proposals prepared by the Boundary Commission before either submitting their written representations or making oral submissions at the Inquiry. Some have gone to some considerable personal expense to voice their concerns about how their constituencies are to be altered and without those comments, criticisms and suggestions my task in preparing this Report would have been very much more difficult. Not only am

I deeply indebted to all who have become involved in this process but I believe that the electorate of all of the constituencies involved in this Inquiry should be equally grateful.

C. Kasali

16th January 2006