

BOUNDARY COMMISSION FOR NORTHERN IRELAND
FIFTH REVIEW OF PARLIAMENTARY CONSTITUENCY
BOUNDARIES

REPORT

2005 to 2006

CONSTITUTION

The Boundary Commission for Northern Ireland are constituted in accordance with Section 2 of and 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.

**Mr Douglas Bain TD has been appointed Chief Electoral Officer in succession to Mr Denis Stanley who retired in March 2006.

***Mr Stan Brown was replaced as acting Chief Executive of Ordnance Survey by Mr Trevor Steenson in April 2006.

REPORT 2005-2006

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 periodical reviews and to report with recommendations every 8 to 12 years.
2. The Report covers the twelve month period from 16 May 2005.

Meetings and Consultation

3. In the twelve month period the Commission met on 6 occasions. In addition, the Commission were represented by two of their members at a meeting of all four United Kingdom Parliamentary Boundary Commissions to discuss matters of common concern, as provided for by Schedule 1 to the 1986 Act.
4. The joint meeting of Boundary Commissions was held in London in March 2006. The Commissions met representatives of the local government Boundary Commissions in Great Britain, the Electoral Commission and the Department of Constitutional Affairs to discuss matters of common concern, including the timing and transfer of functions from the Boundary Commissions to Boundary Committees of the Electoral Commission as provided for by the Political Parties, Elections and Referendums Act 2000. The meeting also discussed the nature and scope of boundary review responsibilities in England and local and regional government boundary reviews. Representatives of political parties offered views on the conduct of the Fifth Periodical Review in Great Britain. The Commissions agreed that the course of their respective Reviews had been significantly facilitated by the use of geographic information systems, and it was agreed to maintain their valuable dialogue.
5. The Commission continue to 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. The Commission's Secretariat also maintain contact with Government departments and public bodies and has established contact with the Secretariat of the Council of Europe European Commission for Democracy through Law (Venice Commission) in the matter of their Code of Good Practice in Electoral Matters.

6. The Commission rely heavily upon the advice of the Chief Electoral Officer. Mr Denis Stanley retired as Chief Electoral Officer in March and the Commission place on record their appreciation for his regular attendance at meetings and for the expert contribution he has made at those meetings to the work of the Commission. The Commission also rely upon the professional advice of the Chief Executive of Ordnance Survey of Northern Ireland. Mr Stan Brown, until recently acting Chief Executive of Ordnance Survey was succeeded by Mr Trevor Steenson in that same capacity in April. The Commission are grateful to Mr Brown for his contribution and advice. The Commission also gratefully acknowledge the contributions made by Dr Norman Caven and Mr Nigel Woods.

Review of Public Administration

7. On several occasions the Commission have 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.
8. The Commission recently drew renewed attention to their concerns and that the current ward structure in Northern Ireland might be eliminated in the course of restructuring local government. Wards are the electoral entity with which the majority of voters are most familiar and any decision to cease using wards as the basic building unit for parliamentary constituencies would entail an amendment to the statutory Rules for Redistribution of Seats which form Schedule 2 to the 1986 Act. The Rules lay down the considerations which the Commission must have regard to when formulating recommendations. Accordingly, the Commission were grateful for the undertaking they received from the Secretary of State last summer that they would be consulted and be afforded an early opportunity to express their views on any proposed changes to current legislation. The decision announced by the Secretary of State last November to appoint a Local Government Boundaries Commissioner and to create seven local authorities in place of the present 26 District Councils was discussed with the Head of the Review of Public Administration Team and representatives of the Department of the Environment for Northern Ireland and the Northern Ireland Office. The Commission were reassured by that meeting. The Commission welcome the decision that of the options discussed at that meeting, the Secretary of State decided to retain a ward structure in Northern Ireland.

9. The Commission are bound by the terms of the 1986 Act to submit a report to the Secretary of State with the recommendations of their Fifth Periodical Review by June 2007. The Commission accordingly gave careful consideration to the situation before concluding that they had no alternative but to proceed with the present Review on the basis of the existing ward structure, public Local Inquiries having already taken place on that basis. However, although assured that reform of the ward structure will, as far as possible, take into account the Commission's concerns, it seems likely that the Local Government Boundaries Commissioner will consider it necessary to divide wards between constituencies, with the inherent danger of confusion among the electorate and in the organisation and conduct of elections. The Commission therefore do not rule out the need for an interim review of constituency boundaries following the restructuring of local government and before the commencement of the next periodical review of constituencies. In the meantime, arrangements have been made to ensure that the work of the Commission and that of the Local Government Boundaries Commissioner are co-ordinated. The sequence of future reviews requires careful synchronisation.

Progress of Review

10. The Commission announced their Provisional Recommendations in 2004. After giving careful consideration to all the representations received in response to the recommendations and having regard to the statutory requirement in certain circumstances to conduct Local Inquiries, the Commission decided to hold public Local Inquiries in respect of all fourteen constituencies affected by the Provisional Recommendations.
11. The Commission decided to group constituencies together and to cause three Inquiries to be held by assistant Commissioners selected from a panel appointed for this purpose by the Secretary of State. Notice of the Inquiries was published in June 2005 and the Provisional Recommendations, 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 was 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 Boundary Commission. All those who had submitted representations were informed of the Local Inquiries and places where they might inspect the representations which the Commission had received, and were sent the procedure booklet and the Commission's Statement of Reasons.

12. The Inquiries were conducted by assistant Commissioners as follows:

Mr James Toolan, BA, Barrister at Law held a Local Inquiry in respect of the recommendations affecting the constituencies of Belfast East, Belfast North, Belfast South and Belfast West in the City Hall, Belfast on 5 September.

Mr Thomas Stewart Beattie, BA, LLB, Barrister at Law held a Local Inquiry in respect of the recommendations affecting the constituencies of East Antrim, East Londonderry, Foyle, North Antrim and South Antrim in the Adair Arms Hotel, Ballymena, County Antrim on 14 and 15 September.

Mr Colin Haddick, BA, Solicitor held a Local Inquiry in respect of the constituencies of Lagan Valley, Newry and Armagh, South Down, Strangford and Upper Bann, in the Slieve Donard Hotel, Newcastle, County Down on 19 and 20 September 2005.

13. The Commission urged all those interested to attend the Inquiries and make known their views. The assistant Commissioners considered the Commission's Provisional Recommendations and other relevant information and took into account all written representations submitted to the Commission and those received prior to and during the Inquiries.
14. The purpose of the Inquiries was to ascertain relevant local information and opinion; hear criticism of or support for the Commission's proposed recommendations; receive any counterproposals; enable everyone attending who wished to comment on any of these matters the opportunity to do so; and provide evidence from which the assistant Commissioners might compile reports with conclusions and recommendations to the Commission.
15. The conduct of Inquiries is left to the discretion of assistant Commissioners. Guidance on procedure was however issued by the Commission for the benefit of those attending the Inquiries and the Commission received no complaints that they were conducted other than in a fair and open fashion, and that all those attending them had the opportunity to make known their views. Codes of Courtesy affecting the use of the Irish and Ulster Scots languages were adopted by the Commission last year. No request, however, was made for translation facilities to be made available at the Inquiries.
16. Assistant Commissioners may comment on any representation or submission, or on the Commission's proposals or on any other proposals when submitting their reports to the Commission. Assistant Commissioners may recommend that the Commission's proposals be accepted intact or with alterations. Or it may be recommended that a counterproposal be adopted, with or without modifications, provided that it

conforms to the statutory Rules for Redistribution of Seats contained in the 1986 Act which the Commission must have regard to when deciding their recommendations.

17. The Commission were grateful to the assistant Commissioners for the diligent and conscientious manner in which they undertook their tasks, and for their reports with their conclusions and recommendations. The Commission also place on record their appreciation for the help afforded by the Northern Ireland Assembly Editor of Debates and his staff for the efficient preparation of transcripts of the Inquiries which may be viewed on the Commission's website www.boundarycommission.org.uk. The assistant Commissioner's conclusions and recommendations supported many of the Commission's Provisional Recommendations but departed from them in important aspects.
18. The assistant Commissioners' recommendations reflected concerns about the need to maintain a fair balance between the aim to achieve electoral equality by reducing disparity between the number of electors in each constituency and the requirement where possible to preserve long established ties. The Commission place importance on the reports of assistant Commissioners and have accepted their recommendations wherever practicable to do so. Where recommendations have not been accepted this has been to resolve conflicting recommendations or to give better effect to the statutory Rules for Redistribution of Seats.
19. In reaching their decisions, the Commission considered the representations they received in response to their Provisional Recommendations, matters discussed at Local Inquiries, and other relevant information including changes which have occurred in the electoral register and other developments affecting the future restructuring of local government in Northern Ireland. The Commission have also had in mind the convenience of both electors and those who participate in and organise election campaigns and have sought to accommodate their needs as far as possible in their Revised Recommendations. The Revised Recommendations affect twelve constituencies and are to be announced shortly.
20. The recommendations together with an explanation of the Commission's decision, the assistant Commissioners' reports and other relevant documents will be made available for public inspection at those places hitherto used for this purpose. Notice will also be sent to those who attended the Local Inquiries and who asked to be informed of the Commission's decisions, as well as to other interested persons.
21. The Commission are required to take into consideration any representations on the Revised Recommendations if received within one month from the date of their publication. If submissions are received, the Commission will give these their careful consideration. The Commission

are not obliged to hold further Local Inquiries but have the discretion to do so.

Transfer of Functions and Review of Procedure

22. 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 and all four Commissions subsequently put forward joint views and proposals to the Chairman of the Electoral Commission, Electoral Commissioners and officials. Further points have since come to the attention of the Commission, in one instance by virtue of the observations of an assistant Commissioner affecting the operation of rule 7 of the Rules for Redistribution of Seats, which the Commission intend to examine at the conclusion of the Review. The Committee on Standards in Public Life has since announced a review of the mandate, governance and accountability of the Electoral Commission and insofar as the Commissions' views are relevant, these have been drawn to the attention of the Committee as well as to the Secretary of State.
23. No date has been fixed for the transfer of functions to the Electoral Commission but a need exists to ensure that the loss of expertise or skills should be kept to an absolute minimum when that transfer occurs. The Commission understand that the transfer of functions will not now take place immediately the present Review concludes.

Other Matters

24. The Commission have been examining the problem of defacement of boundaries in Northern Ireland and have considered the Boundary Survey (Ireland) Acts and the appointment and role of the Boundary Surveyor in Northern Ireland. The Commission submitted the outcome of their review with recommendations to the Secretary of State. The Commission have been informed that careful consideration is to be given to their Report and that close consultation with officials in the relevant Northern Ireland departments will need to take place before the Secretary of State is in a position to respond substantially to the recommendations. The Commission note that certain provisions contained in the recently published draft Local Government (Boundaries)(Northern Ireland) Order 2006 address some of the recommendations of the Report.
25. The Commission are also grateful for having been kept informed of a number of initiatives affecting electoral reform and, in particular, to changes to the electoral registration process in Northern Ireland. The detail of the considerations involved and effect of the changes were helpfully explained to the Commission by the Chief Electoral Officer.

26. The Commission's bespoke geographic information system which combines digitised boundaries with electorate figures and Ordnance Survey mapping has materially helped the Commission in the preparation of Revised Recommendations. The Commission were grateful to the Secretary of State for approval to incur modest additional expenditure to improve and update the system which has the potential to offer considerable help to the Local Government Boundaries Commissioner and the District Electoral Areas Commissioner once appointed.

Staff and Expenditure

27. The Commission are supported by a small but dedicated secretariat led by the Secretary to the Commission, Mr John Fisher. The Secretariat continue to function in a most effective manner and its commitment was favourably commented upon by all three assistant Commissioners who conducted the public Local Inquiries, as well as by others.
28. The Commission incurred the following expenditure in the financial year 2005 – 2006.

	Expenditure £k
Salaries and related costs ^a	146.9
Staff training, conference attendance and related costs	5.6
Members' attendance allowances and travelling and other expenses	6.4
Local Inquiries ^b	27.5
IT and other equipment ^c	22.5
Running costs ^d	30.9
Advertising and publishing	8.5
Stationery, postage, printing and reprographics	5.3
Miscellaneous ^e	7.4
Total	261.0

^a includes payments of £70.4k 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 fees paid to assistant Commissioners, facilities, transcription of proceedings and ancillary expenditure.

^c includes website licence and maintenance charges.

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

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

**Boundary Commission for Northern Ireland
May 2006**