



Subject:	Local Government Boundary Commissioner – Revised Recommendations
Date:	18th February, 2022
Reporting Officer:	John Walsh, City Solicitor and Director of Legal and Civic Services
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Restricted Reports	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Sometime in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

Call-in	
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

1.0	Purpose of Report/Summary of Main Issues
1.1	The purpose of this report is to update the Committee on the Local Government Boundary Commissioner's Revised Recommendations which were published on 18th January and to seek approval of the draft Council response to the revised recommendations. The Commissioner has asked for written feedback to be submitted by 1st March 2022.
2.0	Recommendation
2.1	The Committee is asked to note the Local Government Boundary Commissioner's Revised Recommendations, as set out in Appendix 1, and approve the Council response outlined in paragraph 3.4 below.

3.0	Main Report
3.1	<p data-bbox="263 255 437 286">Background</p> <p data-bbox="263 304 1465 383">On 27th July 2021, the Local Government Boundary Commissioner published the Provisional Recommendations for the Review of Local Government Boundaries in Northern Ireland.</p> <p data-bbox="263 454 1465 741">The Council provided a detailed written response to the Provisional Recommendations in relation to the district boundary and Political Parties were encouraged to respond individually with respect to the provisional ward boundary recommendations. Council officials reiterated the position outlined in the written response during the public hearing in the Belfast council area which was facilitated by an Assistant Commissioner on 5th October 2021. A copy of that response is attached at Appendix 2.</p> <p data-bbox="263 808 1182 840">Summary of BCC Response to the Provisional Recommendations</p> <p data-bbox="263 857 1465 992">In its response to the Provisional Recommendations, Belfast City Council indicated that it did not agree with paragraph 7.3.1 of the Provisional Recommendations report, which states that the district boundary line should remain unchanged.</p> <p data-bbox="263 1059 1465 1294">The Council highlighted the fact that, following the previous Local Government Boundary review in 2008, the Final Recommendations of the Local Government Boundary Commissioner (Dick Mackenzie) had a recommendation to place the area containing Forestside shopping centre and the Castlereagh Council Civic HQ building within the new Belfast district boundary.</p> <p data-bbox="263 1361 1465 1496">However, the Council noted that the NI Executive had subsequently made amendments to the Final Recommendations which resulted in Forestside and the adjacent Castlereagh Council Civic HQs remaining within the new Lisburn and Castlereagh council area.</p> <p data-bbox="263 1563 1334 1594">The Council referred to the following two issues in relation to the district boundary:</p> <p data-bbox="263 1650 775 1682"><u>Galwally Area (including Forestside)</u></p> <p data-bbox="263 1738 1465 1973">The Council requested that the Local Government Boundary Commissioner reassess the findings of the 2008 Local Government Boundary Review including the “Final Recommendations” report and the “Report of the Assistant Commissioner Sarah Havlin on Belfast City Council district” which made clear recommendations that the Galwally area containing Forestside should reside within the Belfast district boundary.</p>

The Council would argue that the principles upon which the 2008 recommendations were made and those features which the Commissioner determined to constitute 'readily identifiable boundaries' in respect of this area (namely the A55 Outer Ring Road and the upland topography in this area) have not changed.

Harbour Area

The Council also wishes to highlight the issue with the district boundary as it pertains to the Harbour ward, and in particular the extension to the harbour which has resulted in part of the harbour infrastructure being outside of the district boundary.

The Council would note that there is a further approved extension beyond the currently constructed area shown on the plans. The Commissioner when considering any modification to the district boundary may wish to take this into account also.

3.2

Revised Recommendations – District Boundary

The LG Boundary Commissioner recommends that the district boundary line should remain unchanged.

Galwally Area (including Forestside)

The following excerpt outlines the Commissioner's findings in relation to the Galwally area:

"I note the submissions on this issue and the analysis of the Assistant Commissioner. I am in agreement with the rationale of the Assistant Commissioner on the importance of the fact that the boundary line at this point was mandated by a process of the Northern Ireland Assembly following the last Review in 2008/09. It is true to say that the boundary line at this area does not correspond to the recommendations made by my predecessor in the 2008/09 Review, however, it is the line which was passed into law after consideration and amendment by the legislature during the passage of the 2012 Act.

My approach in this Review is one of minimum intervention where possible. In the absence of a compelling reason, I am not persuaded to interfere with existing District boundary lines. I agree with the Assistant Commissioner that the submission made by Belfast City Council (BCC) does not constitute a compelling reason to interfere with the District boundary between the District of Belfast City and the District of Lisburn and Castlereagh.

I also note that there was another submission to alter the same District line at the area around Drumkeen to bring a small number of houses into Belfast from the District of Lisburn and Castlereagh. I agree with the Assistant Commissioner that there is no compelling reason to interfere with the District boundary line on this basis".

	<p><u>Harbour Area</u></p> <p>The following excerpt outlines the Commissioner’s findings in relation to the Harbour area:</p> <p><i>“I note the findings of the Assistant Commissioner and I am in agreement that the submission of Belfast City Council raises a compelling reason to realign the District Boundary at Duncairn and Sydenham wards on the grounds of defacement. As stated by the Assistant Commissioner:</i></p> <p><i>I believe that there is defacement to the existing district line between the District of Belfast City and Belfast Lough. Therefore, it is reasonable to suggest that the district line should be amended to encompass existing and future development of the Harbour estate.</i></p> <p><i>I have addressed this issue and the realignment of the District boundary at this point can be seen in the attached map”.</i></p>
3.3	<p>Revised Recommendations – Wards</p> <p>The LG Boundary Commissioner recommends that Belfast district should remain comprised of 60 wards.</p> <p>There is a total of 230,236 electors within the district which averages at 3,837 electors per ward and my Revised Recommendations balance the electorate across the 60 wards. The revised ward and district boundaries changes that have been proposed can be viewed at the following link. Belfast Wards</p>
3.4	<p>Belfast City Council Response</p> <p>District Boundary</p> <p><u>Galwally Area</u></p> <p>The Council would argue that any independent review into the placement of any district boundary line should be based on the Schedule 4, Part III “Rules in accordance which recommendations of a commissioner are to be made”, the first of which is:</p> <p>“Regard shall be had to the desirability of determining district and ward boundaries which are readily identifiable”.</p> <p>The Council would reiterate that those features which the Local Government Boundary Commissioner correctly determined in 2008 to constitute ‘readily identifiable boundaries’ in respect of this area (namely the A55 Outer Ring Road and the upland topography in this area) have not changed.</p> <p>The Council recognise that all of the extant district and ward boundaries for all 11 councils, including those in relation to Belfast, were mandated by a political process of the NI Assembly following the last review in 2008/9. The Council would argue that this fact does not exempt any of the boundaries from future review as this would negate the requirement for any future</p>

	<p>review and would render the rules set out in Schedule 4, Part III of The Local Government (Boundaries) (Northern Ireland) Order 2006 redundant.</p> <p>The Council would, therefore, recommend again that the Commissioner refers to the principles upon which the 2008 Final Recommendations were made and the Schedule 4, Part III Rules including the first rule which places prominence on the desirability of determining district boundaries which are readily identifiable.</p> <p>The reason put forth by the Council, therefore, appeals directly to the first rule in Schedule 4, Part III which defines the rules in accordance which a Commissioner will make recommendations, therefore ensuring that such a reason is not only valid but is a material consideration.</p> <p>Any argument that Belfast’s district boundary was “mandated by a political process” or reference to “the fact that the boundary was a decision made by the NI Assembly which is historically agreed” will equally apply to all district boundaries which are subject to the review. As such, the Council do not agree that this is a valid argument for determining that such reasons as those which directly relate to legislated Rules such as Schedule 4, Part III (14) are not compelling.</p> <p>The Council would note that no other argument, other than previous political agreement has been presented against the suggested change to the district boundary.</p> <p><u>Harbour Area</u></p> <p>The Council welcomes the revised recommendation in respect of the Harbour area and the proposed suggest that the district line should be amended to encompass existing and future development of the Harbour estate.</p> <p>Wards</p> <p>In line with previous decisions in relation to the Review of Local Government Boundaries in Northern Ireland, responses to the Commissioners recommendations in relation to ward boundaries will be left to individual parties. Parties are encouraged to review the map accessible via the link in paragraph para 3.3 above.</p>
3.5	<p><u>Financial and Resource Implications</u></p> <p>No financial implications attached this report</p>
3.6	<p><u>Equality or Good Relations Implications/Rural Needs Implications</u></p> <p>No good relations or equality implications attached to this report</p>

4.0	Documents Attached
	<p data-bbox="263 253 1390 336">Appendix 1 – Local Government Boundary Commission Revised Recommendations - Belfast</p> <p data-bbox="263 371 1134 405">Appendix 2 – BCC response to the Provisional Recommendations</p> <p data-bbox="263 441 1465 474">Appendix 3 – Report of the Assistant Commissioner for the proposed District of Belfast City</p>