

LOCAL GOVERNMENT (BOUNDARIES) ACT (NORTHERN IRELAND) 2008

EXPLANATORY NOTES

INTRODUCTION

1. These explanatory notes relate to the Local Government (Boundaries) Act (Northern Ireland) 2008, which received Royal Assent on 23 May 2008. They have been prepared by the Department of the Environment in order to assist the reader in understanding the Act. They do not form part of the Act and have not been endorsed by the Assembly.
2. The notes need to be read in conjunction with the Act. They do not, and are not meant to be, a comprehensive description of the Act. So where a section or part of a section or Schedule does not seem to require any explanation or comment, none is given.

BACKGROUND AND POLICY OBJECTIVES

3. The Act gives effect to the Executive's decision of 13 March 2008 to reduce the number of local government districts in Northern Ireland to eleven.

CONSULTATION

4. As part of the Review of Public Administration (RPA) in Northern Ireland, consultation was carried out (from March to September 2005) on nine possible configurations for local government in Northern Ireland based on seven, eleven or fifteen councils.
5. On 5 July 2007 the Executive agreed the terms of reference and timescale for a review of the local government aspects of the RPA. A Sub Committee of the Executive, chaired by the Minister of the Environment, was charged with carrying out the review. The Minister published the Emerging Findings of the review on 19 October 2007 following endorsement by the Executive. Stakeholder engagement on the Emerging Findings included five stakeholder events across Northern Ireland. No further consultation was, therefore, considered necessary.

OPTIONS CONSIDERED

6. The Terms of Reference for the Executive Sub Committee's review stated that, in relation to the number of councils, it should consider the three options which had been consulted on in the RPA Further Consultation Document of March 2005 (i.e. the seven, eleven or fifteen-district models of local government). Within those three options, the Sub Committee also considered the three possible configurations for the seven, eleven and fifteen-district models set out in the RPA Further Consultation Document.

OVERVIEW

7. The Act:
 - sets the context for a review of local government boundaries by a Local Government Boundaries Commissioner (LGBC) by establishing the broad boundaries of the 11 new districts; and
 - makes provision with regard to the number of wards into which each new district is to be divided.

COMMENTARY ON SECTIONS

A commentary on the sections follows (comments are not given where the wording is self-explanatory).

Section 1 – Local government districts and wards

Section 1 makes provision for the establishment of 11 new local government districts in Northern Ireland by reference to the current 26 local government districts and for the districts to be divided into wards. These new districts will be the starting point for the review of local government boundaries.

Section 2 – Local Government Boundaries Commissioner

Section 2 amends subsections (1) and (2) of the Local Government Act (Northern Ireland) 1972 ("the 1972 Act") to provide that a Local Government Boundaries Commissioner shall be appointed in 2008 and, following this initial review of the new local government boundaries, a Commissioner shall be appointed 8-12 years from the date on which the previous Commissioner submits his final report. It also sets out the functions of the Local Government Boundaries Commissioner.

Section 2 amends paragraph 18 of Schedule 4 to the 1972 Act to provide that the district of Belfast should be divided into 60 wards with each of the other ten districts being divided into 40 wards. It also gives the Commissioner flexibility to increase or decrease the number of wards per district by up to 5, if he considers it desirable, taking account of the size, population and physical diversity of the district and the representation of the rural and urban electorate within the district.

Section 5 - Commencement

For the purposes of:

- the Department appointing a Local Government Boundaries Commissioner and for that Commissioner to carry out a review of the boundaries of the 11 new local government districts and wards into which they are to be divided, and
- the Secretary of State appointing a District Electoral Areas Commissioner and for that Commissioner to group wards into district electoral areas,

section 1 comes into operation one week after the Act receives Royal Assent, and for other purposes on a day or days to be appointed by commencement order.

Sections 2, 4, 5 and 6 of the Act come into operation upon Royal Assent.

The repeal, by Section 3(2) and the Schedule, of the provisions of the Local Government (Boundaries) (Northern Ireland) Order 2006 specified in column 2 of the Schedule comes into operation upon Royal Assent.

Section 3(1) and the repeal, by section 3(2) and the Schedule, of the Local Government (Boundaries) Act (Northern Ireland) 1971 shall be brought into operation on a day or days to be appointed by commencement order.

HANSARD REPORTS

8. The following table sets out the dates of the Hansard reports for each stage of the Act's passage through the Assembly.

STAGE	DATE
Introduction to the Environment Committee	3 April 2008
Introduction to the Assembly and debate on the accelerated passage motion	21 April 2008
Second stage	22 April 2008
Consideration stage	29 April 2008
Further consideration stage	6 May 2008
Final Stage	12 May 2008

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