# EXPLANATORY MEMORANDUM TO

# THE DISTRICT ELECTORAL AREAS (NORTHERN IRELAND) ORDER 2014

## 2014 No. 270

**1.** This explanatory memorandum has been prepared by the Northern Ireland Office and is laid before Parliament by Command of Her Majesty.

## 2. Purpose of the instrument

2.1 This Order brings into force new District Electoral Areas (DEAs) for the purposes of local government elections in Northern Ireland. The proposed areas are those recommended by the District Electoral Areas Commissioner (DEAC).

## 3. Matters of special interest to the Joint Committee on Statutory Instruments

3.1 None.

## 4. Legislative Context

4.1 The Local Government (Boundaries) Act (Northern Ireland) 2008 makes provision to reduce the number of local government districts in Northern Ireland from 26 to 11. The Local Government (Boundaries) Order (Northern Ireland) 2012 divides those 11 local government districts into wards. As local government elections in Northern Ireland use the single transferable vote system, the wards need to be grouped together into multi-member DEAs for the purpose of elections to district councils in Northern Ireland.

4.2 A DEAC was appointed in January 2013 under the District Electoral Areas Commissioner (Northern Ireland) Order 1984 (the 1984 Order), as amended. The DEAC is required to make recommendations to the Secretary of State as to how wards within local government districts should be grouped to form DEAs.

4.3 This Order implements, without modification, the recommendations of the DEAC for the grouping of DEAs, made in his report, which was laid before Parliament on 11 December 2013. It also revokes the previous groupings under the District Electoral Areas (Northern Ireland) Order 1993.

## 5. Territorial Extent and Application

5.1 This instrument extends to Northern Ireland only.

## 6. European Convention on Human Rights

6.1 Andrew Robathan, the Minister of State for the Northern Ireland Office, has made the following statement regarding Human Rights:

"In my view the provisions of the District Electoral Areas (Northern Ireland) Order 2014 are compatible with the Convention rights".

## 7. Policy background

7.1 As part of the reform of local government in Northern Ireland, new local government district boundaries were set by the Northern Ireland Assembly. The Northern Ireland Executive then divided those districts into wards. Local government wards need to be grouped into DEAs for election purposes. Under the 1984 Order, each DEA should consist of between five and seven wards and be given a name. The new DEAs need to be created in time for the next local elections scheduled for 22 May 2014.

7.2 A DEAC was initially appointed in 2009 following the appointment of a Local Government Boundaries Commissioner in Northern Ireland. However, as the ward boundaries were not finalised prior to the end of the DEAC's term, he was unable to make recommendations on DEAs. The boundaries of the local government districts and wards were finalised by the Northern Ireland Executive at the end of November 2012. The Secretary of State then re-appointed the DEAC who resumed work in January 2013.

7.3 The DEAC published provisional recommendations in May 2013 and Assistant Commissioners conducted nine public inquiries during September. The DEAC submitted his final report and recommendations to the Secretary of State, who laid the report before Parliament on 11 December 2013.

7.4 The DEAs listed in Schedule 1 to this Order are those that the DEAC recommended to the Secretary of State. No modifications have been made.

## 8. Consultation outcome

8.1 The Electoral Commission has been consulted on this Order as required by section 7(3) of the Political Parties, Elections and Referendums Act 2000 (c.41). The Commission offered no specific comments or amendments.

## 9. Guidance

9.1 This Order is not accompanied by any guidance.

## 10. Impact

10.1 There is no impact on business, charities or voluntary bodies. An impact assessment has not been prepared for this instrument.

## 11. Regulating small business

11.1 The legislation does not apply to small business.

## 12. Monitoring & review

12.1 The Northern Ireland (Miscellaneous Provisions) Bill, currently before Parliament, will make provision for matters linked to the establishment of DEAs to become reserved matters. This will allow the Northern Ireland Executive, if it chooses, to review the roles of the Local Government Boundary Commissioner and DEAC and consider whether changes can be made which would lead to a more effective and efficient process for establishing electoral boundaries. If no change of this kind is implemented, the effectiveness of the DEAs set out in this Order will be considered as part of the next DEAC's review.

## 13. Contact

13.1 Karen McNeill, Senior Elections Policy Officer, at the Northern Ireland Office Tel: 020 7210 6545 or email: karen.mcneill@nio.x.gsi.gov.uk can answer any queries regarding the instrument.

**Northern Ireland Office**
*December 2013*