EXPLANATORY MEMORANDUM TO

The Draft Local Government (Boundaries) Order (Northern Ireland) 2012

1. Introduction

1.1. This Explanatory Memorandum has been prepared by the Department of the Environment to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.

1.2. The Statutory Rule is made under section 50(10) of the Local Government Act (Northern Ireland) 1972 and is subject to the draft affirmative resolution procedure.

2. Purpose

2.1. The Statutory Rule gives effect with modifications to the recommendations made under the Local Government Act (Northern Ireland) 1972 by the Local Government Boundaries Commissioner in relation to the boundaries and names of the eleven new local government districts and the number, boundaries and names of the wards into which each of those districts is to be divided. It will state the names of the new local government districts and list the wards included in each of the new districts.

3. Background

3.1. Section 50(1)(a) of the Local Government Act (Northern Ireland) 1972 makes provision for the Department of the Environment to appoint a Local Government Boundaries Commissioner to make recommendations in relation to the boundaries and names of the eleven proposed local government districts, and the number, boundaries and names of the wards within these districts.

3.2. Section 50(7) of the Local Government Act (Northern Ireland) 1972 requires the Department of the Environment to lay the Local Government Boundaries Commissioner's Final Recommendations Report in the Assembly together with the draft of an Order to give effect, with or without modifications, to the recommendations contained in the report.

3.3. On the approval of the draft Order by the Assembly, the Department of the Environment shall make an Order in the terms of the draft as so approved, in accordance with section 50(10) of the Local Government Act (Northern Ireland) 1972.

4. Consultation

4.1. Extensive consultation on the options for the number of councils in Northern Ireland was undertaken, both during direct rule and as part of the Executive's review of the local government aspects of the Review of Public Administration in 2007/8.

4.2. The proposed boundaries of the new local government districts were consulted upon further during the Commissioner's review. There was an

8-week consultation period in 2008 after the publication of the Commissioner's Provisional Recommendations Report followed by a series of public hearings (one in each of the eleven new local government districts) to discuss the Report's content. All views were given full consideration by the Commissioner prior to the publication of his Revised Recommendations Report, which was consulted on for a further 6-week period in early 2009. Written representations were also accepted by the Commissioner during the consultation periods. Following the closure of this final consultation period, the responses were considered and the Commissioner's Final Recommendations Report was published on 26 June 2009.

4.3. The draft Programme for Government 2011-2015 also made reference to the eleven new local government districts. The consultation period in respect of this document closed on 22 February 2012.

5. Equality Impact

5.1. In determining the boundaries for the local government districts and wards, the Local Government Boundaries Commissioner was obliged to make his recommendations in accordance with the rules set out in Schedule 4 to the Local Government Act (Northern Ireland) 1972.

5.2. In making his recommendations, it would have been inappropriate or irrelevant for the Local Government Boundaries Commissioner to base the recommendations on factors relevant to Section 75 such as race, politics, religion, gender, etc.

5.3. A full equality impact assessment was not therefore considered necessary.

6. Regulatory Impact

6.1. The Order does not place any additional burdens on businesses, charities, voluntary bodies or the public sector.

7. Financial Implications

7.1. There are no anticipated financial implications.

8. Section 24 of the Northern Ireland Act 1998

8.1. The Order is considered compliant with section 24 of the Northern Ireland Act 1998.

9. EU Implications

9.1. Not applicable.

10. Parity or Replicatory Measure

10.1. Not applicable.

11. Additional Information

11.1. Not applicable.