

**REPORT OF THE ASSISTANT LOCAL GOVERNMENT BOUNDARIES
COMMISSIONER FOR THE PROPOSED DISTRICT OF
FERMANAGH AND OMAGH**

Colin Caughey, Assistant Local Boundaries Commissioner

November 2021

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Section One: **Background and Statutory Framework**

Background

- 1.1 The commencement of the current Review of Local Government Boundaries in Northern Ireland was announced in a Public Notice on 03 February 2021 which explained the role and remit of the Local Government Boundaries Commissioner and advised that in due course the Commissioner would publish Provisional Recommendations and may cause a public hearing to be held in each of the current eleven Local Government Districts. The Notice and a subsequent information video placed on the Commissioner's website explained the process and the opportunities for participation in the consultation on the Provisional Recommendations.
- 1.2 The terms of the Review are set out in Article 50 and Schedule 4 of the Local Government (Northern Ireland) Act 1972 as amended. Copies of the legislative framework are available on the Commissioner's website.
- 1.3 The Commissioner's Provisional Recommendations with proposed boundaries and names of 11 Districts and their 462 constituent wards were published on the Commissioner's website on 27 July 2021 and announced by way of Public Notice, inviting comments on the proposals made. The consultation was launched on Citizen Space to enable ease of public inspection and maximum public participation. Accessibility points for online access to the Proposals and the consultation portal were made available at public facilities including Council premises and public libraries by the Commissioner's team in partnership with local councils and with Libraries Northern Ireland. Hard copies of any part of the Proposals or the associated maps as required by any person were made available on request. Other accessibility requirements were promoted on the Commissioners website including language translation, braille and sign language.
- 1.4 The consultation portal was open for 8 weeks and closed on 20 September 2021. Details of the programme of public hearings was notified by press release, social media channels and on the Commissioner's website in September 2021.
- 1.5 Forty six respondents provided comments relating to the Provisional Recommendations for Fermanagh and Omagh District. All representations received were acknowledged and have been made available for inspection on the Commissioner's website.
- 1.6 I was appointed as an Assistant Commissioner by the Department of Communities on 01 August 2021. My task is to gather, assess and report on the representations made in relation to this proposed District of Fermanagh and Omagh and to submit a report to the Commissioner including my conclusions and recommendations, within 4 weeks of the end of the relevant

public hearing. I conducted a public hearing in this proposed District at the Silverbirch Hotel on 6 October 2021.

- 1.7 The Public Hearing was staged under the requirements of government guidance and observance of public health recommendations in respect of the Covid-19 Pandemic. Numbers in the room at any one time were limited to 20 persons with alternative participation facilitated by a simultaneous online interactive platform.

Written Representations

- 1.8 All written representations were considered by me in advance of the public hearing and in anticipation of the preparation of this Report.

Public Hearing

- 1.9 The Public Hearing on the Provisional Proposals was attended by one person. The hearing was facilitated in an informal and accessible manner where participants were afforded the opportunity to give their views. Participants were asked to either identify as individuals or representatives of an organisation. There were no organisations represented at the hearing.
- 1.10 In my opening statement to the Public Hearing I highlighted that there was a typographical error within the report of the Commissioner's Provisional Recommendations which erroneously recorded that the current electorate for the ward of Dromore was 2986. I clarified that the current electorate for the ward of Dromore is 1986.

My Report

- 1.11 This report presents and addresses the written and oral views of interested parties in respect of the Commissioner's Provisional Recommendations for the District of Fermanagh and Omagh. In particular it addresses the relevant local information and opinion about the boundaries and names of the District and its wards. I have set out details of support for the Commissioner's proposals, objections and counter-proposals. I have also set out my conclusions on the issues raised which are permissible matters for consideration under the legislative framework of this Review. Any matters submitted that are not relevant or permissible considerations under the legislative parameters of the Review have been outlined in this report as having been submitted, but those issues will not have formed part of my deliberations.
- 1.12 As part of my research for this report I have studied and tested any areas of the District where alternative boundaries have been proposed by use of GIS mapping systems of the Land and Property Services of Northern Ireland. This has been facilitated by the staff of Ordnance Survey Northern Ireland and I am indebted to their technical assistance.

Section Two: **District Boundaries**

- 2.1 No respondents to the review raised any objections to the proposed District boundary for the Fermanagh and Omagh District.

Section Three: **Ward Boundaries**

- 3.1 During the oral hearing an individual raised an objection to the Provisional Proposal for a revision to the boundary between the wards of Ballinamallard and Trillick. The individual put forward the view that the existing boundary set in 2012 was readily identifiable as it reflected the county boundary which was well known amongst the local electorate.
- 3.2 In considering this objection I am guided by a number of Rules set out in Part 3 of the Local Government Act (NI) 1972. Including,
- 14 Regard shall be had to the desirability of determining district and ward boundaries which are readily identifiable.
- 15 A townland shall not, except where in the opinion of the Commissioner it is unavoidable, be included partly in one district or ward and partly in another
- 17 In determining the number and boundaries of wards within a district regard shall be had to- (a) the size, population and physical diversity of the district; and (b) the desirability that there should be a proper representation of the rural and urban electorate within the district.
- 19 – (1) Within any one district there shall, as far as is reasonably practicable having regard to paragraph 17, be substantially the same number of local electors in each ward. (2) For the purposes of subparagraph (1) it shall be taken that the electors in each ward are the persons registered as local electors, by virtue of a qualifying address within that ward, in the register of electors last published before the making of the announcement mentioned in paragraph 6(2), 7(2) or 8(2) (as the case may be).
- 3.3 In furtherance of paragraph 19 the Commissioner has attempted to ensure that the total number of residents in each ward reflects the average for the District by being within a 10% variance. There is a total of 84,713 electors within the District which averages at 2,117 electors per ward. This guide therefore suggests that the total number of electors within each ward be somewhere between 1,905 electors and 2,328 electors. This appears to be a useful guide to ensuring there are substantially the same number of local electors in the 40 wards within the Fermanagh and Omagh District. However in my consideration I have had ultimate regard for the wording of paragraph 19.
- 3.4 In considering this objection I have considered the size, population and physical diversity of the District. I note that the population is broadly spread across the District. I have also considered the desirability that there should be a proper representation of the rural and urban electorate within the District. The objection raised relates principally to the rule set out at paragraph 14. In

considering paragraph 14 the Commissioner has been guided by the below interpretation.

‘The concept of a readily identifiable boundary means a boundary that can be known or ascertained easily, or with relatively little effort. I took the view that the phrase included ground features such as road and railway lines; estuaries, lakes, rivers and upland areas; footpaths, cycle paths, garden and field boundaries, and walls; and the boundaries of open space such as parks, cemeteries and golf courses’.

- 3.5 In considering this objection I have referred to this interpretation but have had ultimate regard for the wording of paragraph 14.
- 3.6 In considering the objection I note that both the existing boundary between the wards of Ballinamallard and Trillick set by the 2012 review and the boundary put forward in the Commissioner’s Provisional Recommendations reflect townland boundaries. I also note that the area under consideration is broadly rural with its population dispersed widely.
- 3.7 To inform my consideration of the objection I visited the wards of Trillick and Ballinamallard. In doing so I noted that the county boundary does not appear to be visibly identifiable on the roads which intersect the county boundary. However the county boundary is readily identifiable from a map. Furthermore a member of the electorate can ascertain the county in which they reside by reference to their address. There is therefore in my view a convincing case that the existing boundary line between the wards of Ballinamallard and Trillick is readily identifiable. However as set out above paragraph 14 cannot be considered in isolation. I note that the Commissioner’s Provisional Recommendation is intended to ensure that there are ‘as far as is reasonably practicable’ substantially the same number of local electors in each ward, in furtherance of paragraph 19.
- 3.8 The Commissioner’s Provisional Recommendation will transfer 299 electors from Ballinamallard ward into the Trillick ward. This revision would ensure the number of electors in the Trillick ward is substantially the same as the average and will facilitate a revision to the boundary between the wards of Trillick and Fintona, to transfer 110 electors from the ward of Trillick into the ward of Fintona.
- 3.9 The Commissioner’s Provisional Recommendation also facilitates a revision to the boundary of Ballinamallard ward and Lisnarrick ward providing for the transfer of 205 electors into the Ballinamallard ward, ensuring the number of electors in the Lisnarrick ward is substantially the same as the average.
- 3.10 Guided by the relevant statutory considerations I have developed alternative recommendations which will retain the existing boundary set by the 2012 review between the wards of Ballinamallard and Trillick. These revisions have been developed with the support of staff in OSNI who have produced a number of maps setting out my recommended ward boundaries which are appended to this report. In preparing these recommendations I have followed

the townland boundaries ensuring my recommendations do not place a townland partly in one ward and partly in another. I have also considered paragraph 17 and note that the areas under consideration share a number of key characteristics.

- 3.11 I recommend that the existing boundary set by the 2012 review between the wards of Ballinamallard and Trillick be retained. To facilitate this recommendation I make a number of secondary recommendations.
- 3.12 To ensure the total number of electors in the Trillick ward is 'as far as is reasonably practicable' substantially the same as the average number of electors within the wards of the District I recommend that a revision is made to the boundary line between the wards of Trillick and Irvinestown. I recommend that the boundary line is revised to transfer the townlands of Ferney, Tullynincrin and Tullywooly from the ward of Irvinestown into the ward of Trillick. This revision will increase the number of electors within the Trillick ward to 1,969 and will reduce the number of electors in the Irvinestown ward to 2,199. The total number of electors in both wards will therefore be substantially the same as the average number of electors within the wards of the District. In addition my proposed revision appears to provide a readily identifiable boundary.
- 3.13 I recommend that the existing boundary set by the 2012 review between the wards of Trillick and Fintona is retained.
- 3.14 To ensure the total number of electors in the Fintona ward is 'as far as is reasonably practicable' substantially the same as the average number of electors within the wards of the District I recommend that a revision is made to the boundary line between the wards of Fintona and Newtownsaville. I recommend that the boundary line is revised to transfer the townland of Aghafad from the ward of Newtownsaville into the ward of Fintona. This revision will increase the number of electors in Fintona to 1,923 and will reduce the number of electors in Newtownsaville to 2,070. The number of electors in both wards will therefore 'as far as is reasonably practicable' be substantially the same as the average number of electors within the wards of the District. In addition my proposed revision appears to provide a readily identifiable boundary.
- 3.15 I recommend an alternative revision to the boundary between the wards of Ballinamallard and Lisnarrick. A revision to the boundary between the wards of Ballinamallard and Lisnarrick is required to ensure the total number of electors in both wards is substantially the same as the average number of electors within the wards of the District. I recommend that the boundary between the wards of Ballinamallard and Lisnarrick is revised to transfer the townlands of Sidaire, Drumbulcan and Kilgortnaleague from Lisnarrick into Ballinamallard. I recommend that the townland of Makenny should remain in the ward of Lisnarrick.

- 3.16 This will reduce the number of electors in the ward of Lisnarrick to 2,320 and increase the number of electors in the ward of Ballinamallard to 2,316. This revision will ensure the total number of electors in both wards is substantially the same as the average number of electors within the wards of the District. It will also provide a readily identifiable boundary, reflecting the county line in parts and also broadly following the A32 roadway.

Section Four: **Names of District and/or wards**

- 4.1 As the Commissioner has made clear the Rules in Schedule 4 Part III of the 1972 Act do not provide guidance as to the naming of districts and wards.
- 4.2 Proposals for the renaming of districts and wards therefore must be assessed through an analysis of the strength of arguments put forward and through a critical assessment of appropriate and relevant evidence.
- 4.3 One respondent proposed that the Drumnakilly ward should be renamed the Loughmacrory ward. The Drumnakilly ward has an electorate of 2,161. The Commissioner has not proposed any changes to the boundaries of this ward.
- 4.4 The individual argued that the townland of Drumnakilly is small and on the edge of the ward. In making the case for the ward to be renamed after the townland of Loughmacrory the respondent highlighted that the townland hosts the largest concentration of population in the ward along with a primary school.
- 4.5 OSNI have confirmed that a higher proportion of the electorate reside in the townland of Loughmacrory than in the townland of Drumnakilly.¹ However the name Drumnakilly not only reflects the townland but also reflects the Drumnakilly burn, a tributary of the Camowen River, which runs through the ward. In the absence of evidence of widespread support throughout the ward for a renaming I consider that a sufficient case has not been made for the renaming of the ward and as such I recommend no change.
- 4.6 A number of respondents to the online portal who inputted responses to questions relating to the Fermanagh and Omagh District referred to the adoption of a bilingual or trilingual naming policy. The comments were not specific to the District or to any particular ward. In three submissions the respondents refer to the ward of Lisnaskea, this appears to be for illustrative purposes only. None of the respondents provided supporting evidence specific to the District or to any ward within the District. The comments were therefore not of specific but of general relevance relating to the adoption of a bilingual or trilingual naming policy for the whole map of the Local Government Districts and wards in Northern Ireland. This is a matter for wider consideration by the Commissioner rather than a local or District-specific issue.

¹ With the assistance of OSNI I have confirmed that 204 members of the Drumnakilly ward electorate reside in the townland of Drumnakilly. Whilst 329 reside in the townland of Loughmacrory.

Section Five: **Other Issues**

- 5.1 During the oral hearing broader representations were made relating to the religious identity of the members of Ballinamallard ward. The statutory rules do not include religious identity as a factor to be taken into account in the delineation of boundaries and as such these broader representations have not formed part of my considerations. In addition during this discussion a reference was made to district electoral areas. The selection of district electoral areas is the subject of a separate review process, is outside the ambit of the statutory rules and has not formed part of my considerations.

Section Six: **Summary of Conclusions**

- 6.1 My principal recommendation is that the boundary between the wards of Ballinamallard and Trillick as set by the 2012 review is retained. I make this recommendation on the basis that the existing boundary provides a readily identifiable boundary. I make four secondary recommendations to facilitate this recommendation.
- 6.2 I recommend that the boundary between the wards of Trillick and Fintona as set by the 2012 review be retained.
- 6.3 I recommend that the boundary between the wards of Trillick and Irvinestown be revised, to transfer the townlands of Ferney, Tullynincrin and Tullywooly from the ward of Irvinestown into the ward of Trillick.
- 6.4 I recommend that the boundary between the wards of Fintona and Newtownsaville be revised, to transfer the townland of Aghafad from the ward of Newtownsaville into the ward of Fintona.
- 6.5 I recommend that the existing boundary between the wards of Ballinamallard and Lisnarrick is revised to transfer the townlands of Sidaire, Drumbulcan and Kilgortnaleague from the ward of Lisnarrick into the ward of Ballinamallard. The townland of Makenny should remain within the ward of Lisnarrick.

Section Seven: References and List of Submissions

Part One: List of Written Submissions

Number	Type of Respondent
7	Individual
9	Individual
10	Individual
11	Individual
12	Individual
13	Individual
14	Individual
16	Individual
17	Individual
23	Individual
25	Individual
26	Individual
51	Organisation
55	individual
56	Individual
58	Individual
72	Individual
73	Individual
75	Individual
89	Individual
91	Individual
95	Individual
101	Individual
105	Individual
107	Individual
120	Individual
127	Individual
141	individual
145	individual
148	Individual
149	Individual
158	Individual
170	Individual
184	individual
195	individual
197	Individual
201	Individual
205	individual
214	individual
230	individual
238	Individual
243	individual

259	individual
260	Individual
273	individual
275	Organisation

Part Two: **Oral Submissions at Public Hearing**

One Individual

Section Seven: **Appendices**

Appendix A: Ordnance Survey of Northern Ireland (OSNI) notes:

TRILLICK: 1969

Transfer out 299 to BALLINAMALLARD. Transfer in 110 from FINTONA. Transfer in 85 from IRVINESTOWN.

Proposed Recommendations electorate count was 2073 (Net Change with ACs revisions -104)

IRVINESTOWN: 2199

Transfer out 85 to TRILLICK.

Proposed Recommendations electorate count was 2284 (Net Change with ACs revisions -85)

FINTONA: 1923

Transfer out 110 to TRILLICK. Transfer in 96 from NEWTOWNSAVILLE.

Proposed Recommendations electorate count was 1937 (Net Change with ACs revisions -14)

NEWTOWNSAVILLE: 2070

Transfer out 96 to FINTONA.

Proposed Recommendations electorate count was 2166 (Net Change with ACs revisions -96)

BALLINAMALLARD: 2316

Transfer in 299 from TRILLICK. Transfer out 99 to LISNARRICK. Transfer in 18 from LISNARRICK. Proposed Recommendations electorate count was 2098 (Net Change with ACs revisions +218)

LISNARRICK: 2320

Transfer in 99 from BALLINAMALLARD. Transfer out 18 to BALLINAMALLARD.

Proposed Recommendations electorate count was 2239 (Net Change with ACs revisions +81)

Fermanagh and Omagh District Council

Ward: TRILLICK

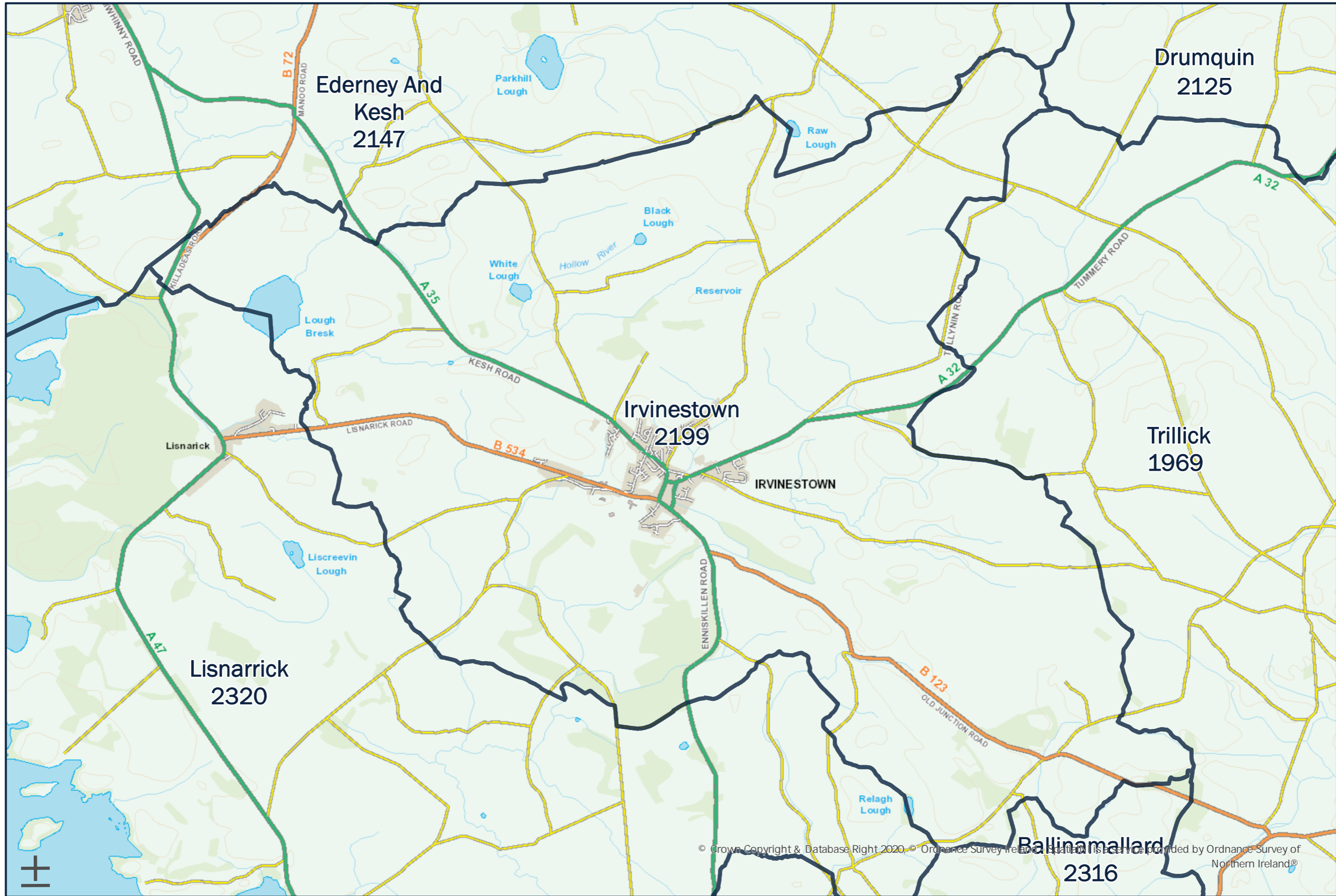


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- Local Government District
- Ward (Revisions for AC - Draft)

Fermanagh and Omagh District Council

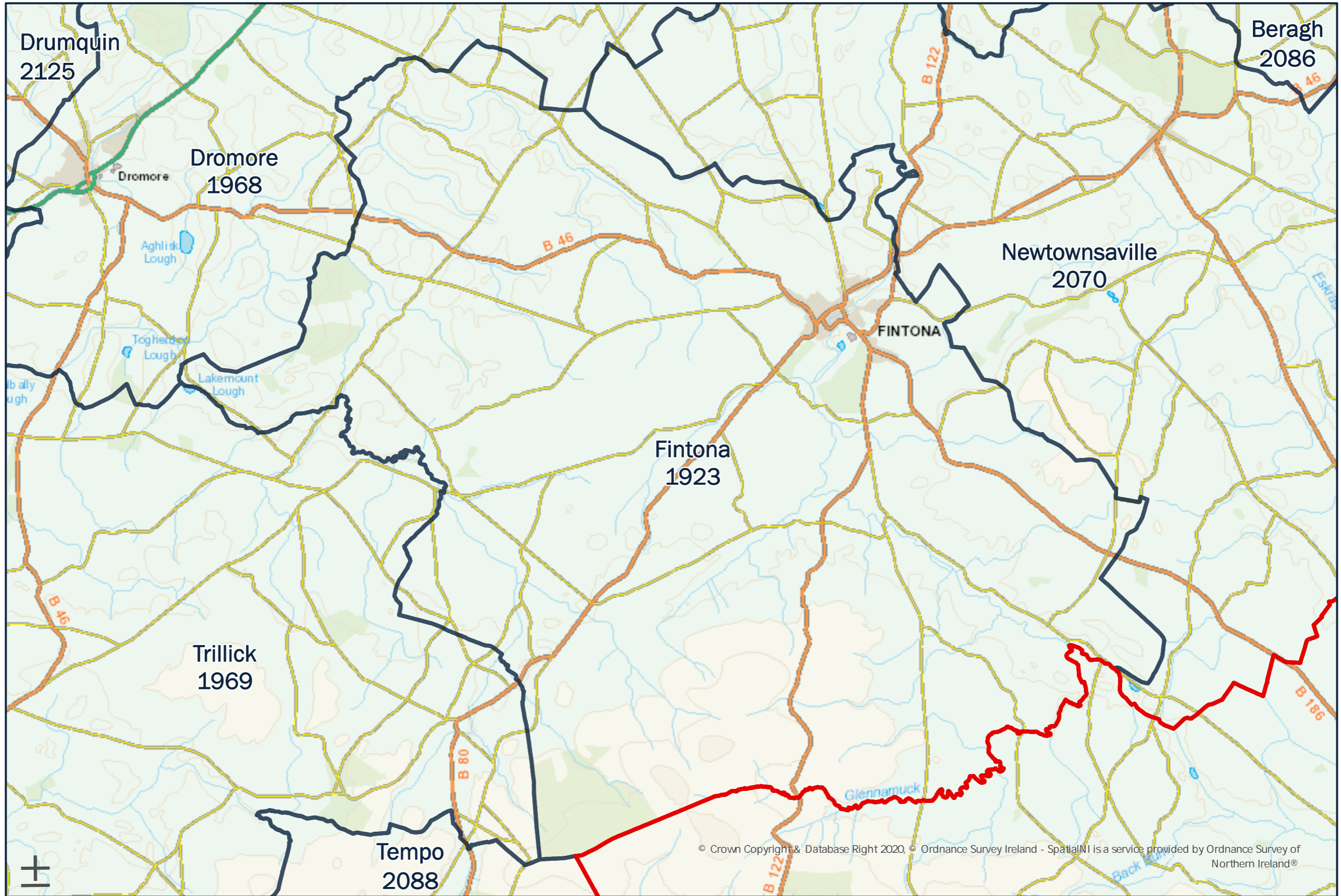
Ward: IRVINESTOWN



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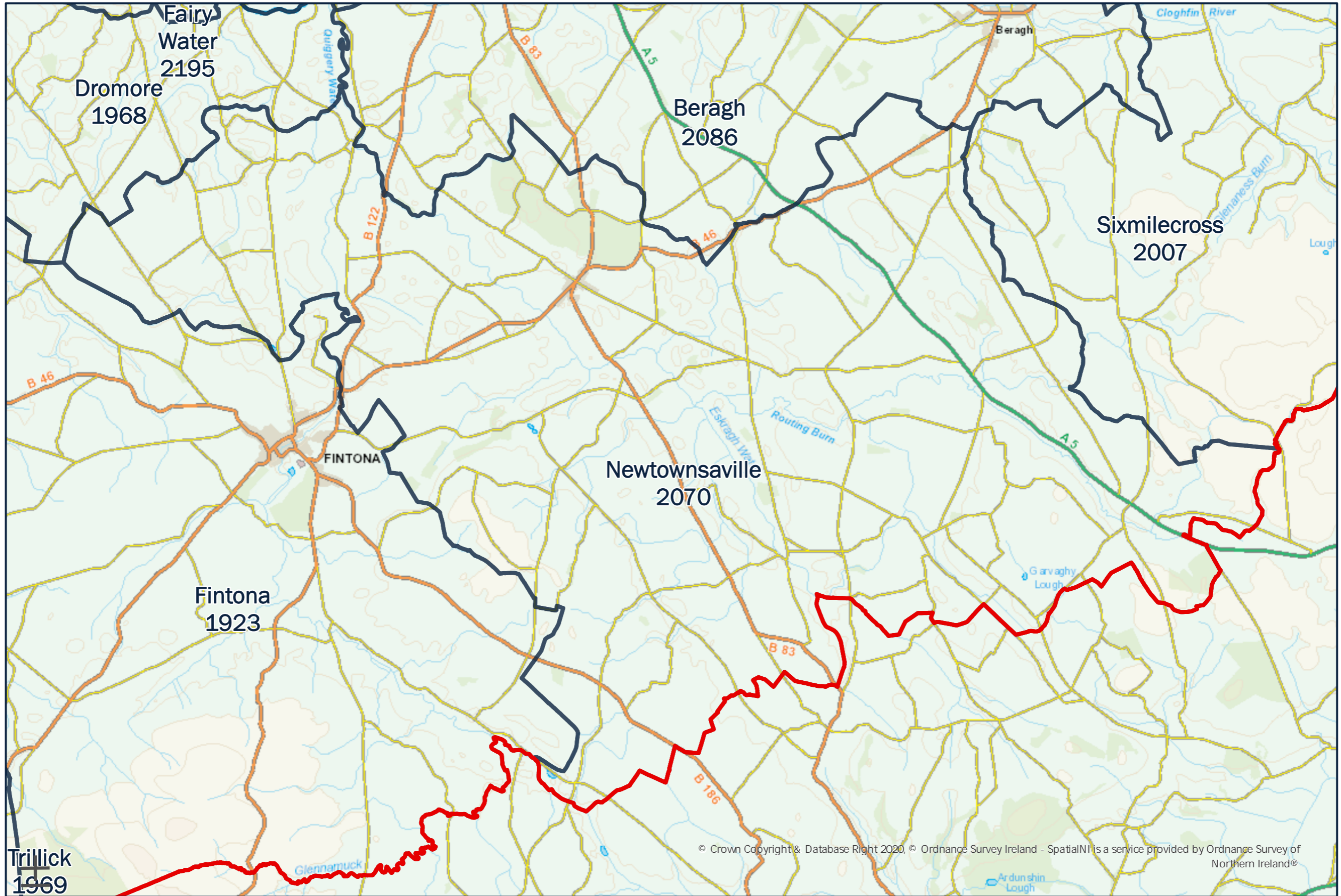


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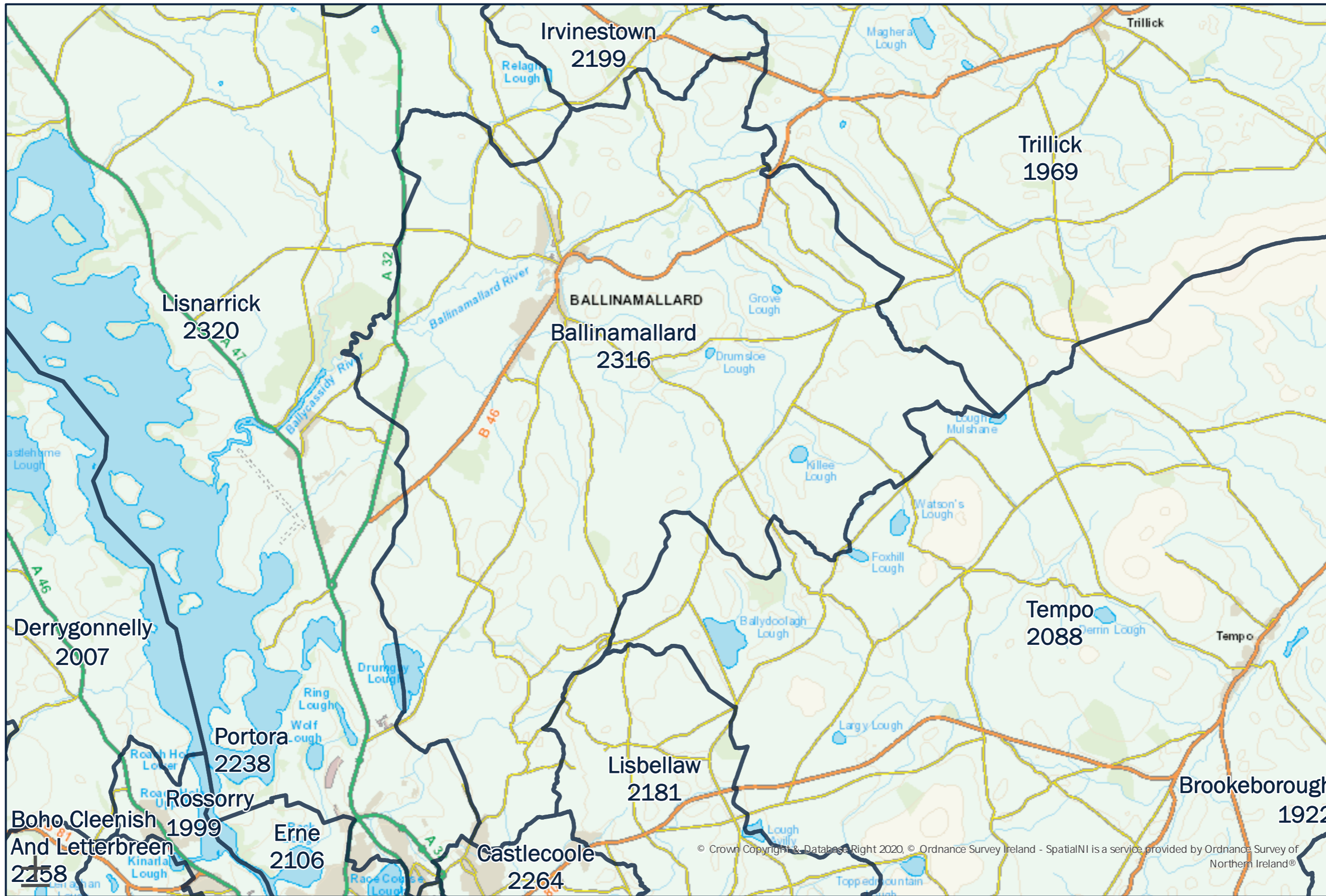
Fermanagh and Omagh District Council

Ward: NEWTOWNSAVILLE



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