BOUNDARY REVIEW COMMITTEE

Isle of Man
Government
Reiltys Ellan Vannin

THIRD REPORT TO TYNWALD
OF THE
BOUNDARY REVIEW COMMITTEE
UPON THE BOUNDARIES OF THE CONSTITUENCIES FOR
ELECTIONS TO THE HOUSE OF KEYS

May 2013
Price: £4.30
To the Hon Clare Christian MLC, President of Tynwald, and the Hon Council and Keys in Tynwald assembled.

Foreword from Sally Bolton, Chair of the Committee

This Report draws to a close our Committee’s work in addressing the remit given to us by Tynwald almost two and a half years ago in 2010.

The determination by Tynwald of the fundamental principles that we should apply, not least those of equality of representation and equivalency of constituencies, set the committee upon a path that has led to the recommendations contained herein.

Within the body of this Report we set out the process we have adopted regarding our public consultation upon the issues and it must be clear that our views have been informed by this process of discussion, debate and consideration.

We recognise that these proposals will not please everyone. They are made after adhering to the agreed principles and after trying to accommodate, as far as is possible within these principles, the inherent nature of our communities. It should be remembered that these proposals will change constituency boundaries for election to the House of Keys only.

We have been honoured to have been part of a process whereby the call by the public for much needed constitutional reform has been acknowledged and now some changes have the opportunity to be implemented by our legislators.

This has been a team effort from the outset – a team consisting of the Committee, the political and executive authorities of the Island and, most importantly, the Manx public. Within this Report we acknowledge some of those without whose specific advice and assistance we could not have concluded our work to this point, but I do also wish to place on record our thanks for the engagement of the wider Manx public, both youth and adult, whose views and opinions have helped us produce these proposals.
THIRD REPORT TO TYNWALD OF THE BOUNDARY REVIEW COMMITTEE
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HOUSE OF KEYS

**Chairman:**
Ms S M Bolton  

**Members:**
Mr T R A Groves  
Mr J A Lewis  
Mr R F Riding
## Contents

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Foreword</td>
<td></td>
</tr>
<tr>
<td>1. Remit of the Committee</td>
<td>3</td>
</tr>
<tr>
<td>2. Background</td>
<td>3</td>
</tr>
<tr>
<td>3. Consultation on Proposals for Change as agreed by Tynwald</td>
<td>4</td>
</tr>
<tr>
<td>4. Names of the New Constituencies</td>
<td>7</td>
</tr>
<tr>
<td>5. Boundaries of the New Constituencies</td>
<td>8</td>
</tr>
<tr>
<td>6. Conclusion</td>
<td>8</td>
</tr>
<tr>
<td>7. Recommendations</td>
<td>9</td>
</tr>
<tr>
<td>Acknowledgements</td>
<td>10</td>
</tr>
<tr>
<td>Appendix A</td>
<td>11</td>
</tr>
<tr>
<td>Appendix B</td>
<td>13</td>
</tr>
<tr>
<td>Appendix C</td>
<td>15</td>
</tr>
</tbody>
</table>
Third Report of the Boundary Review Committee

1. Remit of the Committee

1.1 At its sitting in July 2010 Tynwald agreed that “pursuant to Section 11 (5) of the Representation of the People Act 1995 Tynwald requests the Governor in Council to recommend the appointment of a Boundary Review Committee to review the number and boundaries of the constituencies for election to the House of Keys and to report thereon to Tynwald.”

2. Background

2.1 This is the Third Report of the Boundary Review Committee to Tynwald and is supplemental to the First and Second Interim Reports approved by Tynwald at its sittings of 13th-15th December 2011 and 16th-18th October 2012.

2.2 Having considered the progress of previous Boundary Review Committees, this Committee determined that it was important to establish at the outset with Tynwald certain principles which might be considered to be fundamental and to agree that these should form the basis for revision of the boundaries in future. The First Interim Report, approved by Tynwald at its December 2011 sitting, therefore concerned the principles identified by the Committee as being crucial to the electoral process in the Isle of Man. These fundamental principles, accepted and agreed by Tynwald are:-

- Equality of Representation
- Equivalency of size of population of Constituencies
- Registration of Voters
- Regular Electoral Process Review

2.3 The Second Interim Report of the Boundary Review Committee concerned a more contentious issue, which was how to establish equality of representation across the Island and therefore the number of members for each constituency. The Report considered and reviewed all of the options available and Tynwald agreed that the preferred and most practical option was for twelve constituencies with two members. This recommendation was approved at its October 2012 sitting.
3. **Consultation on Proposals for Change as agreed by Tynwald**

3.1 Bearing in mind the agreed principles and Tynwald's determination as to constituency representation, immediately following Tynwald's decision, the Boundary Review Committee sought guidance from the mapping department of the Department of Infrastructure (DoI) concerning new boundaries. Draft maps were produced to reflect possible boundaries for every constituency, each having an approximately equal number of constituents. After very detailed consideration, these maps were put into final draft form for release to the public for comment and views.

3.2 These draft maps were released for public consultation on the 9th January 2013 and a period of six weeks was given to enable Honourable Members of Tynwald, Local Authorities and the public to express their views on the plans. It was made clear that the draft plans showed boundaries which could be subject to amendment or review and Members of Tynwald were personally invited to meet with the Boundary Review Committee to discuss the proposals.

3.3 The work of the Committee has focused on securing change to the parliamentary constituency boundaries for the benefit of the Island's population as a whole. The principles of equality of representation and equivalency have remained paramount. There is no justification for supporting the argument that any one area should have priority over the rest of the Island.

3.4 Recognising the importance of this work in securing fairness and equality of democratic representation the Boundary Review Committee has, since it was first appointed, attached great importance to its consultative process. For this final stage the Committee ensured that the consultation was widely publicised across the Island. Constructive comment and views were invited in order to achieve the most effective and practical solution within the terms determined by Tynwald, providing for twelve constituencies with two members each.

The scope of our Consultation process is detailed in **Appendix A** with a summary of responses attached at **Appendix B**.

3.5 The Committee would like to record our appreciation to all the Members of Tynwald, Local Authorities and members of the public for their helpful views; local knowledge has been invaluable and where we could do so, keeping within the guiding principles, we have taken these views into account. The maps attached to this Report reflect this.
3.6 One of our primary aims was to ensure, wherever possible, that parish boundaries would remain intact within each redrawn parliamentary constituency boundary. In the main our proposals achieve this but, in certain areas, there had to be some divergence when determining the particular parliamentary boundary.

3.7 The principal criteria for the division of the population into twelve constituencies was to have an equal number of constituents in each meeting the principle of equivalency of constituencies. The legends notated on the maps for each proposed constituency show the relevant data upon which the boundary has been drawn. The average resident population for a two seat constituency is based on the March 2011 Census. This produces an average figure of 7041 people per constituency. As can be seen, most areas of the Island can reasonably be divided into twelve constituencies, each having a population figure well within the tolerance of 15% approved in resolution 9(b) of the First Interim Report to Tynwald. The only exception to this, perhaps as expected, is Onchan.

**Onchan**

3.8 The population of the whole of Onchan is 8846 and therefore it is clear that in the region of 2000 people in this area would have to be moved to another constituency to meet the equivalency principle. Our original proposal was that the Birch Hill area became part of the East constituency but we received a considerable number of responses both from the residents of the area and the Onchan Commissioners who suggested that this was not an appropriate division. Representations from local MHKs, particularly Mr Quirk, also expressed reservations about the proposal concerning Birch Hill. In discussion with representatives of Onchan Commissioners and local MHKs an alternative division was considered, which was to move the Howstrake area to the proposed East constituency leaving Birch Hill within the proposed Onchan Urban constituency.

3.9 In keeping with our commitment to the consultative process we consequently undertook a thorough review of this option in consultation with the DoI mapping department. It was identified that the numbers concerned made it possible to consider this as an alternative if the boundary were to follow the Whitebridge Road, Harbour Road, Groudle Road and defined topographical features. The Committee was particularly careful to ensure that, if this option were to be considered, then village landmarks such as St Peter’s Church and Vicarage must be retained within the Onchan Urban constituency but that to comply with the principle of equivalency it was necessary to include Lakeside Gardens in the proposed East constituency.
Maughold and the East Constituency

3.10 The proposal in the public consultation document to include the parish of Maughold into the suggested North constituency received well argued representation both from The Hon Steve Rodan SHK, the Commissioners for Laxey, Lonan and Maughold and residents of the area in favour of Maughold remaining with Lonan and Laxey within the proposed East constituency. Comments were made by many that the geographical size of the proposed North constituency was cumbersome and potentially difficult to manage.

3.11 On balance the Committee was minded to accept the suggestion that Maughold be included within the proposed East constituency. This change makes little difference numerically to the proposed constituencies for North and East.

Further Seeking of Views

3.12 The Committee decided that, as the changes to Onchan and Maughold differed substantially from the proposals put forward in the January consultation document, the views of those affected should be sought again prior to finalising these proposals. Revised maps for these changes were therefore drafted by the DoI mapping department and published with a press release asking for any views on the amended proposals to be sent to the Committee. Views on these specific matters were sought between the 26th March and 9th April 2013, however the Committee accepted representation from Onchan Commissioners and the period was extended until 15th April 2013.

3.13 There was a good response to this further exercise; the details can be found in Appendix B. Overall the comments received regarding the revisions to Maughold were welcomed. In respect of Howstrake however, similar concerns were raised as had been the case with Birch Hill, namely that Onchan is a particular community and should be maintained as such, even if this resulted in a constituency that would breach Tynwald’s decisions regarding equivalency. The public should be assured that the proposed boundaries were carefully considered and have by no means been drawn arbitrarily. Having further considered the options the Committee assessed that none suggested would in any way meet the required numbers to deliver an equalisation in voting numbers. Therefore the Committee is recommending that Birch Hill forms part of the Onchan Urban constituency and that Howstrake forms part of the East constituency.
Other minor changes

3.14 The Committee has made some other minor changes to the original proposals mainly as a consequence of local knowledge. We are grateful for this assistance arising out of the consultation.

Local Government Boundaries

3.15 Finally, we recognise the number of responses we have received expressing concern that these proposals for the parliamentary boundaries would somehow alter the cohesion and spirit of a community. It is the Committee’s view that these concerns as to possible consequential changes to local governance matters are misplaced. There will be important changes in respect of electing representatives to the House of Keys but these will not alter or weaken the identity of a local community. Concerns were also expressed by some that changing constituencies would also result in changes to the rates. This, of course, is not the case and is a misunderstanding. Rates are levied by local authorities and residents will remain within the same authority area, even if their constituency boundary changes.

4. Names of the New Constituencies

4.1 Throughout the consultation process we invited members of Tynwald and the public to make suggestions for the names of the proposed new constituencies. At all our meetings we asked for views on this matter. Whilst the names for the new constituencies are not considered to be as high a priority as agreeing boundaries that reflect the agreed guiding principles, we have taken note of the comments made. One MHK has suggested that the public may find the new boundary process more acceptable if the names were neutral and did not necessarily put one former constituency or part constituency ahead of another. There is a general preference to retain some of the historic names but the Boundary Review Committee expresses the hope that the name or preference of one area or part area over another should not be a critical factor in determining the recommendations of this Report.

4.2 In this Report we have used either geographical descriptions or the names of urban areas and occasionally both. These are set out in 5 below. The Committee suggests that the matter of names for the new constituencies is finalised by the Chief Secretary’s Office as part of the drafting and consultation process in respect of new legislation.
5. **Boundaries of the New Constituencies**

5.1 The boundaries of the new constituencies recommended by the Committee for approval by Tynwald are set out on the maps attached as **Appendices C 1-12**.

5.2

<table>
<thead>
<tr>
<th>Names Used During Consultation Process and in the body of this Report</th>
<th>Names Used on the Maps for new Constituencies</th>
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<tbody>
<tr>
<td>North</td>
<td>Ayre and Michael</td>
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<tr>
<td>Douglas Central</td>
<td>Douglas Central</td>
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<td>Douglas East</td>
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<td>Douglas North</td>
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<td>Douglas West</td>
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<tr>
<td>East</td>
<td>Garff</td>
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<tr>
<td>West</td>
<td>Glenfaba and Peel</td>
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<tr>
<td>South</td>
<td>Malew, Arbory and Castletown</td>
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<tr>
<td>Central</td>
<td>Middle</td>
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<tr>
<td>Onchan Urban</td>
<td>Onchan</td>
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<tr>
<td>Ramsey</td>
<td>Ramsey</td>
</tr>
<tr>
<td>South West</td>
<td>Rushen</td>
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6. **Conclusion**

6.1 In order to meet the decision of Tynwald “that the twenty four seats of the House of Keys be divided into twelve constituencies of two members each” so that there is equality of representation in each proposed constituency (and allowing for a variance of up to 15% from the median figure when making these proposals) it must be clear that not all of the changes proposed will meet with complete accord. However in this, the final stage of a long and at times contentious process, the Boundary Review Committee has been very encouraged by the number of responses received which are in support of the principle of change, the need for which has been outlined in this Report and the earlier interim Reports to Tynwald.

6.2 The Committee has been pleased to assist Tynwald in such an important democratic process and believes that the Island is now presented with a real opportunity to effect meaningful change. The Committee has undertaken this task appointed to them in as robust and impartial a manner as possible and sincerely hopes that the findings and proposals within this Third Report meet with approval.

6.3 Tynwald will recall its approval of the recommendations of paragraphs 9(c) and 9(d) in the First Report. These are:
9(c) Tynwald accepts the principle of seeking to achieve 95% of the population qualified to vote being so registered and that proposals be submitted to attain this aim.

9(d) Tynwald accepts the principle of regular review of the number and boundaries of the constituencies and agrees to the establishment, by the Governor in Council, of a permanent independent electoral committee or commission following each second general election anniversary. Such body must Report to Tynwald no later than eighteen months after its appointment but be given powers to Report more frequently to Tynwald if specifically required.

The Committee trusts that these matters are now being considered by the appropriate areas of Government and that the proposals will be incorporated into the ongoing review of election legislation which we understand is being reviewed by Council of Ministers.

7. **Recommendations**

That the Third Report of the Boundary Review Committee dated May 2013 be received and the following recommendations be approved:

1. That Tynwald approves the constituency boundaries as set out in Appendices C1 - 12 of this Report.

2. That the Representation of the People Act 1995 and other relevant legislation be amended accordingly in time for the 2016 General Election.
Acknowledgements

We have had a great deal of help and assistance throughout the time we have been working to our remit concerning the constituency boundaries not least from those who have met us, written to us or attended the public meetings we have held.

It is impossible to name them all but the Committee wishes to recognise here some individuals without whose assistance and advice that they have given to us over the past two and a half years of our work it would have been impossible to operate.

We acknowledge the assistance of the Chief Secretary’s Office whose officers have ensured that we have followed agreed structure and form and in particular our hardworking secretary Mrs Ann Craine who has kept accurate detail of our work throughout.

We are sincerely grateful to Rob Clynes and the mapping department team at the Department of Infrastructure for all their work bringing the issues into map form keeping up with the many changes we demanded through the consultation process.

In the earlier stages of our work the information given to us by the Economic Adviser’s office of the Treasury as and when asked for it has proved to be invaluable and we thank them for their time.
APPENDIX A

Consultation Processes

The Boundary Review Committee has run three public consultation processes during the period since its appointment. Government guidance explains that the purpose of consultation is not to be a referendum but an information, views and evidence gathering exercise from which to take an informed decision on the content of proposed legislation or policy. In any consultation exercise the responses received do not guarantee that changes will be made to what has been proposed.

The Committee has worked hard to ensure that the public of the Isle of Man have been kept widely informed of their work at every stage and has listened carefully to the views put forward. It has tried to reflect these wherever possible, within the remit set by Tynwald, as the process for boundary review has moved forwards. It is inevitable, however, that every view cannot be incorporated into a review so fundamental as the redrawing of the constituency boundaries of the Island. Noted below are the processes that the Committee has followed in undertaking this work.

The first consultation explained the remit of the Committee and its assessment as to what should be the fundamental guiding principles of the democratic process in relation to representation in Parliament. It ran from 17th January 2011 to 31st March 2011.

- Responses were invited from Members of Tynwald, Local Authorities and the Manx public via suitable notices placed upon the Government website, appropriate press releases within the media, newspapers and radio, and also by way of an Online Poll.
- Comments were particularly invited on existing boundaries, possible changes to existing boundaries, size of constituencies, number of members per constituency, number of voters per elected member and whether population should be the sole guide to constituency size.
- The Committee took advice from Mr S Carse, the Economic Affairs Adviser on statistical matters and other international practice.
- Those who provided written responses and those from whom we took oral evidence were notated as Appendix B in our first Interim Report of November 2011.

The second consultation was mainly concerned with how the Island constituencies could be re-drawn i.e. the number of constituencies and members per constituency and the basis upon which equality of representation might be calculated. A questionnaire was used to obtain information although respondents were also able to express their personal views as well as answering the questions posed. The consultation was sent to Members of Tynwald, to Local Authorities, directly to a wide
range of Island groups and was also available for individual response from the Manx public. It ran from January to June 2012. The consultation was advertised:

- on the Government website;
- via press releases;
- through media interviews;
- using new social media i.e. a Facebook survey conducted within the Island secondary schools to gauge the views of the younger voters; and by
- holding a series of public meetings across the Island in Douglas, Sulby, Ballabeg and St Johns.

The responses to the consultations were contained in our second Interim Report of September 2012 at Appendices B(1), B(2), B(3), B(4) and B(5).

The third consultation, which has assisted this Report, concerned proposals to draw new constituency boundaries for the Island based upon the direction of Tynwald given at their October 2012 sitting. It ran from 9th January 2013 until 20th February 2013. A further process to seek views upon revised proposals arising out of this consultation took place from 26th March 2013 until 15th April 2013. The consultation was widely advertised:

- information in advance of the consultation was published through the media. The consultation itself was widely publicised by press releases, the Government website, the media including radio, local TV and newspapers.
- members of the Committee took part in media interviews and radio programmes to explain their remit and their proposals.
- the proposed boundary maps were published in the newspaper and sent to all Tynwald members, Local Authorities and to libraries.
- All members of Tynwald were issued with an invitation to meet personally with the Committee and discuss the proposals, as were Douglas Corporation. The Committee also met with representatives of other Local Authorities at their request.
Summary of Responses to Third Public Consultation concerning draft Boundary Proposals

The consultation ran from the 9th January to 20th February 2013 with a further seeking of views in respect of amended proposals from 26th March to 15th April 2013.

Written responses were received for the Consultation as follows:

Andreas Parish Commissioners  Arbory Parish Commissioners
Ballagh Parish Commissioners  Bride Commissioners
Castletown Commissioners  German Parish Commissioners
Jurby Parish Commissioners  Laxey Village Commissioners
Lezayre Parish Commissioners  Lonan Parish Commissioners
Marown Commissioners  Maughold Parish Commissioners
Michael Commissioners  Onchan Commissioners
Patrick Parish Commissioners  Port Erin Commissioners
Ramsey Town Commissioners  Rushen Parish Commissioners

Mr M and Mrs L Bell  Mr A Bourdillon
Ms A Brophy-Reynolds  Mrs S A Cain
Mr B Caley  Mrs J Caulcutt
Mr S W R Caulcutt  Mr E and Mrs M Clucas
Clucas plc  Mr J Corrin
Ms L Craine  Mr D and Mrs A Dorricott
Mr L Exton  Mr N Gibbs
Ms E Harrocks  Mrs V Harrocks
Mr M Harvey  Mr D Heath
Ms S Hughes  Mrs H Hyde
Mr and Mrs Jackson  Ms P Kerruish
Mr G J Kneen  Mr D K Kyme
Mr J McDonough  Mr R Mitchell
Mr M Mole  Mrs M Mole
Mr K Mort  Mr T Norton
Mr S Oates  Ms R Oldham
Mrs C Parkes  Mr W A and Mrs C J Paul
Mr M Quayle  Mr W A and Mrs J Quayle
Mr D J Quirk MHK  Mr R Read-Pickles
Mr W Revill  Mr D Scambler
Mr C Shimmins  Mr G Stigant
Ms S Swan  Mrs J Tomlinson
Mr W R Tomlinson  Mr J D and Mrs J K Vernon
Hon J P Watterson MHK  Mr D Wood
Mr S Wright
Oral Evidence was received from the following persons:

- Hon D M Anderson MHK
- Mr A L Cannan MHK
- Hon T M Crookall MHK
- Hon P A Gawne MHK
- Mr R W Henderson MHK
- Mr R H Quayle MHK
- The Hon S C Rodan SHK
- Hon J P Shimmin MHK
- Mrs K J Beecroft MHK
- Hon G D Cregeen MHK
- Mr A F Downie OBE MLC
- Mr Z Hall MHK
- Mr P Karran MHK
- Mr D J Quirk MHK
- Mr R A Ronan MHK
- Hon W E Teare MHK
- Mr Councillor D Christian JP, Douglas Corporation
- Miss K Rice, Douglas Corporation
- Mr P Cowin, Douglas Corporation
- Mrs R Bate, Laxey Commissioners
- Mr S Clucas, Lonan Commissioners
- Mr R Moughtin, Maughold Commissioners
- Mr M Hulme, Onchan Commissioners
- Mrs J Kelly, Onchan Commissioners
- Miss K Williams, Onchan Commissioners

Seeking of views on amended proposals

Following representations amended proposals were published and written responses were received from the following:

- Hon G D Cregeen MHK
- The Hon S C Rodan SHK
- Mr D J Quirk MHK (2)
- Lonan Commissioners
- Malew Commissioners
- Onchan Commissioners
- Ms C Brack
- Ms D Callin
- Mr J Corrin
- Miss A Crellin
- Mrs W Gawne
- Mr R Jones
- Ms D Lewis
- Mrs E C M Livsey
- Mr T Norton
- Ms K Reed
- Mr B Shacklock
- Mr S F Tooley
- Mr R Bridson
- Mr R Collister
- Mr R M Coupe
- Ms V Fairhurst
- Mr A Haddock
- Mr J Kirkby
- Mr P Litherland
- Mr M Mellor
- Mr J and Mrs M Owen
- Ms J Ruskell
- Mr W R Tomlinson
- Mr D and Mrs G Williams