

BELFAST CITY COUNCIL
DRAFT RESPONSE

INTRODUCTION

Belfast City Council welcomes the opportunity to respond to the policy proposals for the establishment of Statutory Transition Committees issued by the Department. The Council believes that the that Statutory Transition Committees have an important role to play in taking forward necessary preparatory work around local government reform in advance of the Shadow Councils becoming operational in June 2014 and in strengthening the working relationships between merging councils.

It is important to recognise the specific circumstances of the Belfast Statutory Transition Committee and the fact that the Council is not fully merging with any other council(s) but rather assimilating parts of adjacent Lisburn, Castlereagh and a small portion of North Down areas. The Council is fully aware of the importance of representation from Lisburn and Castlereagh on the Belfast Statutory Transition Committee given its role in planning for the new larger geographical area.

The Council therefore welcomes the proposal set out within the paper that the Belfast Statutory Transition Committee would consist of 25 Members including representation from Castlereagh Borough and Lisburn City Councils. The Council further notes the recommendation set out within the paper stating that the “Department expects most STCs will retain the same members as the former VTCs”. As the current Belfast VTC comprises 21 members, it is understood that the other 4 members on the Belfast STC would come from Lisburn and Castlereagh. The Council has previously agreed that those Members must be representative of those areas coming into Belfast as the role of the STC will be to plan for the new geographical area.

The Council is aware that when the enabling primary legislation (i.e. Local Government (Miscellaneous Provisions) Act (Northern Ireland) 2010) had been adopted; it was within the context of there being no Shadow Council period being put in place. With the introduction of Shadow Councils in June 2014, it will be important that there is clarity of role; with a core focus of Statutory Transition Committees being to take forward necessary preparatory work to enable the Shadow Councils to take decisions and progress key strands of work in to ensure the establishment and operation of the new councils in April 2015.

The Council would seek clarification on the anticipated timescale for bringing forward Statutory Transition Committees and the subsequent operational lead-in time to the Shadow Councils scheduled for June 2014.

The Council would highlight that the level of information and detail provided within the policy proposals paper issued is somewhat limited and it would have been beneficial if further detail was made available on the draft regulations. This would have enabled councils to have a more informed consideration of the proposals being brought forward.

SPECIFIC COMMENTS ON QUESTIONS

Q1. Does any other task need to be specified in the regulations?

BELFAST CITY COUNCIL COMMENTS

- In terms of the specific tasks proposed for Statutory Transition Committees (as set out at para 7 of policy proposals paper), the Council would seek further clarification and detail in relation to the role of the STC in the context of its relationship with constituent councils and the rates setting processes.

Q2. Should the Department require that existing Councils get the consent of STCs if intending to dispose of land or enter into new contracts

BELFAST CITY COUNCIL COMMENTS

- Given the specific circumstances of the Belfast Statutory Transition Committee as referred to above, the Council believe that there is no need for such provisions in relation to decisions taken by Belfast City Council and the Statutory Transition Committees.
- If such provisions are to be introduced they should apply to any activity which relate to those new areas from Lisburn, Castlereagh and North Down coming into Belfast and not to those parts of the city not impacted upon by the boundary changes.

Q3. Given that all clusters have now constituted VTCs, is it sensible to replicate the same membership arrangements or the statutory phase.

BELFAST CITY COUNCIL COMMENTS

- The Council welcomes the proposal set out within the paper that the Belfast Statutory Transition Committee would consist of 25 Members including representation from Castlereagh Borough and Lisburn City Councils. The Council further notes the recommendation set out within the paper stating that the "Department expects most STCs will retain the same members as the former VTCs".
- As the current Belfast VTC comprises 21 members, it is understood that the other 4 members on the Belfast STC would come from Lisburn and Castlereagh. The Council has previously agreed that those Members must be representative of those areas coming into Belfast as the role of the STC will be to plan for the new geographical area.

Q4. It is proposed that a member of an STC would be removed if he/she did not attend for 3months. Should this period be shorter or longer?

BELFAST CITY COUNCIL COMMENTS

- The Council would highlight that Section 9 (vacation of office on account of non-attendance) of the Local Government Act (Northern Ireland) 1972 refers to a period of 6 months consecutive and also includes a provision that enables an appropriate reason (e.g. sickness) for non-attendance to be approved in advance by a council and therefore vacation of office would not apply.
- The Council would commend that similar provisions be considered for inclusion in the Regulations for STCs.

Q5. Should there be a lump sum allowance, rather than an attendance allowance for each meeting? If a lump sum is paid, how much should it be?

BELFAST CITY COUNCIL COMMENTS

- The Council would highlight that in the previous period of reform and operation of Voluntary Transition Committees (VTC), each Member represented on the VTC had been given an allowance of £2,700 pro rata, funded by the Department. This allowance was to take account of the additional activities linked to reform programme and work of VTC.
- Within Belfast City Council, Members' remuneration is not based on attendance allowance for meetings but rather every Member receives a basic allowance. In addition to this a special responsibility allowance is given for specific key positions within the council e.g. Chairs and deputy Chairs of Committees, Party Leaders etc.
- The Council would seek early clarification on how Members' remuneration costs attached to STCs will be funded. Whilst recognising that the Environment Minister has included such costs in the funding bid submitted to the NI Executive there has not yet been a final decision taken by the NI Executive regarding funding or funding secured.

Q6. Do you agree that governance and procedures for STCs reflect those presently in place for VTCs

BELFAST CITY COUNCIL COMMENTS

- Whilst the Council believe that the current governance and procedures in place for the voluntary Transition Committees have been appropriate, if STCs are to be given decision making powers, due consideration must be given to the relationship and governance arrangements between STCs and constituent councils.
- For example, are constituent councils required to agree to delegate authority to STCs to undertake certain functions or take decisions on specified issues.. Due consideration should also be given to the information flow between the STCs and constituent councils.
- It is understood that the primarily legislation which will enable STCs to be created (i.e. Local Government (Miscellaneous Provisions) Act (Northern Ireland) 2010; states that STCs are to be established as 'Bodies Corporate'
- Could the department confirm if this would still be the intention and what would be the key legislative and operational implications of this for STCs to be established e.g. would STCs require separate accounts etc..

Q7. Do you agree with the duty for sharing information? If so, should it be extended to any other bodies?

BELFAST CITY COUNCIL COMMENTS

- In pursuance of ensuring a transparent process, the Council believe that it is important that appropriate information is shared in a open manner. In addition to information flowing from constituent councils to STCs, consideration should be given to extending the duty for STCs to share relevant information with constituent councils during the transition period.

Q8. Do you agree that STCs should appoint Chief Executives and other senior staff?

BELFAST CITY COUNCIL COMMENTS

- The Council would note from the recent 'Reform Inform Bulletin' issued by the Department that there still remains a number of key decisions still to be taken regarding, for example, the method of appointment for Chief Executives and senior staff posts, the principles which will underpin any recruitment process. It is further understood that these matters are being taken forward through the local government reform implementation structures established by the Environment Minister and is subject to legal advice. The Council will consider any this matter when firmer proposals emerge.

Q9. Do you agree existing councils should apply administrative staff on a temporary basis, prior to STCs appointing own staff?

BELFAST CITY COUNCIL COMMENTS

- In principle yes, albeit consideration will need to be given to any financial and HR implications for the constituent councils in doing so.

Q10. Do you agree constituent councils should provide accommodation?

BELFAST CITY COUNCIL COMMENTS

- In principle yes, albeit consideration will need to be given to any financial and/or operational implications.

Q11. Do you agree with the approach that STCs will be wound up 21 calendar days after the election of the new council, once they have arranged the first meeting of the new council in shadow mode?

BELFAST CITY COUNCIL COMMENTS

- The Council would support these proposals as this would assist in handover between the STC and incoming Shadow Council.

