

Strategic Policy and Resources Committee

Thursday, 15th April, 2010

SPECIAL MEETING OF STRATEGIC POLICY AND RESOURCES COMMITTEE

Members present: Councillor Hartley (Chairman);
the Deputy Lord Mayor (Councillor Lavery); and
Councillors Adamson, Austin, D. Browne, M. Browne,
Campbell, Convery, Hendron, C. Maskey, Newton,
Rodgers and Rodway.

In attendance: Mr. P. McNaney, Chief Executive;
Mr. G. Millar, Director of Property and Projects;
Mr. C. Quigley, Director of Legal Services;
Mrs. J. Thompson, Director of Finance and Resources;
Mr. L. Steele, Head of Committee and
Members' Services; and
Mr. J. Hanna, Senior Committee Administrator.

Apology

An apology for inability to attend was reported from Councillor W. Browne.

Transition Committee Business

Review of Public Administration

Transfer of Functions

The Committee considered the undernoted report:

“1.0 RELEVANT BACKGROUND INFORMATION

1.1 Members will be aware that detailed discussions have been ongoing between central and local government officials, under the auspices of the Transfer of Functions Working Group, regarding the transfer of functions to councils as a result of the RPA and the associated operational and financial implications.

1.2 The Transfer of Functions Working Group was established to provide greater clarity in terms of the scope of the functions to transfer and the associated resources (where known). The Working Group comprises of senior officials from both transferring function Departments and local government including Belfast City Council with the Chief Executive as Chair of the group.

- 1.3 Constructive discussions have taken place over recent months to scope the transferring functions that Government Departments are to transfer; the resources attached, and to identify those operational and implementation issues which need to be addressed or require further clarification prior to transfer. This has cumulated in a suite of draft reports being prepared which set out detail on each transferring function area – copies of which have been circulated.

2.0 KEY ISSUES

- 2.1 Transferring function Departments are finalising draft proposals with regard to how functions will transfer to local government and it should be noted that the following working assumptions seem to be emerging:

- (i) transfer will be on the basis of an 11 council delivery model which will inevitably result in resources being drawn out of Belfast, towards other parts of the region;
- (ii) funding will be transferred on the basis of grant aid for initial 3 years which will bring with it a degree of centralised scrutiny/oversight.

The Council will clearly need to give full consideration to the emerging Departmental proposals and the potential resource implications for Belfast. There appears to be a trend whereby central government departments are reviewing how resources can be redistributed from Belfast across the 11 new councils albeit the core funding/policy drivers (e.g. social and economic need) and stakeholder expectations remain unchanged. This is a major risk for the Council which needs to be managed carefully. The core principles for moving forward should be that transferring functions should be rates neutral at point of transfer with service continuity paramount.

2.2 STRATEGIC ISSUES

While constructive engagement has taken place over recent months, there still remains the need for detailed work and negotiation on a range of issues, particularly pertaining to funding. Discussions on transferring functions cannot be progressed in isolation from crucial decisions yet to be finalised on:

- (i) Establishing the true costs of the transferring functions – *issues around the transfer of resources and budgets are becoming increasingly complex as the process of due diligence continues to highlight the lack of clarity/detail on the true cost of delivering the services*

- (ii) How to ensure there is no adverse impact on the rate base at point of transfer – *potential need for some form transitional rates support grant may be required*
 - (iii) Timetable for the transfer of functions – *clarity required as to the timetable and critical milestones*
 - (iv) Confirmation on how services will transfer to local government on Day1 – *working assumption that functions will transfer on basis of 11 councils*
 - (v) Future sustainability of funding for transferring functions and CSR process – *significant uncertainty remain around the future level and sustainability of funding given the fact that a large number of the proposed functions to transfer will be subject to bidding for resources under new Comprehensive Spending Review in 2011. Council officials are strongly advocating the need for a single CSR budget line for transferring functions.*
 - (vi) The disaggregation of funding and resources – *a decision is yet to be taken as to how budgets and resources are to be disaggregated across the 11 new councils*
 - (vii) Confirmation of transferring staff numbers and grades where possible - *this is necessary to inform any future consideration to be given to potential organisation design and service delivery models.*
- 2.3 In the absence of any firm decisions and clarity regarding each of the aforementioned issues it will be impossible for local government and Transition Committees to undertake any effective due diligence review of the potential resource implications resulting from the transfer of functions and enable them to consider within the context of the incoming financial planning cycle for 2011/2012.
- 2.4 A number of these issues will undoubtedly be considered and negotiated at a regional level and set the broad parameters/framework for the transferring functions and any consideration given to potential service delivery models. The Council will ensure that it remains centrally involved in such discussions.

2.5 DSD Functions

While detailed information has been circulated with this report in regards to the DSD related functions to transfer to local government, the table overleaf provides a summary of the estimated budget and staff attached to the functions. It should be noted the revenue for 2010/11 is subject to confirmation of baselines following the NI Executive review of Spending Plans for 2010/11 as part of CSR process.

In this context Members will be aware that central government expects the next CSR process to be extremely challenging.

Function	Budget (Rev/Capit Grant) £'000	Staff Costs £'000	Accom Costs £'000	Other Costs £'000	Income £'000	Staff Nos
Tackling Urban Deprivation	20,000	2,780			(400)	79
Town and City Centre Regeneration	44,000	2,040	-	-	-	58
Local Community Development	7,000	176	-			5
Houses in Multiple Occupation	-	700	-	500	(500)	33
Housing Unfitness	-	8	-		-	-
Local Energy Conservation	-	-	--		-	-
Living Over the Shop Initiative	tbd	tbd	-	-	-	tbd
Total	71,000	5,704	658k	500+	(900)	175

2.6 While no decision has yet to be made as to the allocation of such resources, Members will note that under the current DSD policy and operational arrangements around 60% (approx) of its effort and resources, particularly pertaining to urban deprivation and Town and City Centre Regeneration, are administered within Belfast. It is estimated that 20% is targeted in the North West and 20% across other regional towns and cities.

2.7 The ongoing engagement with DSD officials has raised a number of important issues which need to be brought to the attention and consideration of Members. These include the following:

- 2.8 **Allocation of Funding:** Whilst the methodology for the allocation of capital funding is still to be agreed, DSD departmental officials has suggested that in terms of 'Town and City Centre Regeneration' that the funding be distributed across all councils who could then direct these resources as they see fit to meet local requirements within agreed overall priorities. Belfast would receive an additional allocation to reflect its regional status and its ongoing commitments in respect of Laganside. Based on current budgets it has been suggested by Departmental officials that this would be something in the order of £2 million per new Council with an increased figure of about £4 million for Belfast to reflect its regional status (plus additional funding for Laganside).

Investment Fund: DSD has indicated that consideration is currently being given to the possible establishment of an investment fund which would administer the remaining capital funding held by the department to priority regeneration projects across N. Ireland.

DSD has also indicated that consideration is also being given to the possible retention of a large proportion of capital funding (subject to CSR bids being secured this potentially may be in excess of £20m) against which councils would submit bids for projects. Funding would be allocated on the basis of agreed criteria which remain to be finalised but are likely to include a project's impact on the relevant Council area and the wider region, contribution to meeting PSA targets and on its leverage of other funding.

Further clarification is required from the DSD on the current proposals for the creation of such an investment fund and how it would be created, administered and evaluated.

Asset Transfer: DSD currently hold very significant working assets including land banks. DSD has stated that the working assumption in moving forward is that all assets will transfer to local government. DSD officials have indicated, however, that some 'high value' assets may transfer with conditions attached e.g. in terms of their potential future use and/or the Departments ability to claw back a proportion of monetary gain in the event of a major capital windfall being secured as a result of the asset being sold. More detailed discussion with the Department will be required.

Policy Framework: DSD is currently reviewing its strategy and policy framework for urban regeneration and community development and for the housing functions being transferred. Again, this may have potential implications for the future allocation and prioritising of funding. When more substantive information becomes available in regards to this review, it will be brought to the attention of Members for consideration.

2.9 DoE Planning Functions

Members will note that the regional discussions with the Planning Service to date have been predicated on the following assumptions. Firstly the transfer of planning functions will take place in the context of 11 local councils each of which will have a separate planning function. Secondly, that the planning functions which are to transfer are those which were set out by the Environment Minister in March 2008, which are that district councils will take on responsibility for delivering the following key planning functions:-

- local development planning, which replaces the current Area Plan arrangements;
- development management (formerly known as development control) – in practice this will involve the councils making decisions on over 90% of planning applications; and
- enforcement.

2.10 Members will be aware that the Planning Service has received a lot of negative press coverage over recent months in regards to its performance, effectiveness and value for money. As the service is primarily self-financed through planning application fees, the current economic downturn has had a significant adverse impact on the service i.e. estimated to be running at an annual operating deficit of £7million.

2.11 There remains uncertainty around the level of staffing and resources which are likely to transfer to local government and whether or not there will be any streamlining/rationalisation in advance of transfer.

2.12 In regards to the Belfast situation, discussions with Planning Service officials has indicated that under the current structure there is approximately 60+ professional staff dealing with Belfast planning related work. There are 20 additional administrative and support staff based in the Belfast Divisional Office, however, they also provide support to Castlereagh and Newtownabbey. Again, the Council will need to engage with the Department and Minister to ensure that appropriate resources transfer with functions.

RPA REFORM TIMETABLE

- 2.13** Members will be aware that the Environment Minister, Edwin Poots MLA is locked in ongoing negotiations with Ministerial colleagues within the NI Executive regarding the RPA local government reform process and progressing necessary legislation including the Local Government Boundaries (NI) Order and the Local Government (Reorganisation) Bill. Discussions are also ongoing in relation to how the reform programme will be funded.
- 2.14** It is understood that if there is no political agreement around these critical issues secured within the coming weeks, then the already tight legislative timetable would be unachievable and the local reform programme (in its current form) could be at significant risk.
- 2.15** In the event that the reform programme would not proceed as originally planned in 2011, there is potential scope for some functions still to transfer to councils e.g. DSD and DoE Planning related functions. The DSD Minister is already progressing the necessary legislation (e.g. draft Regeneration and Housing Bill) to enable the transfer of functions to councils. The DoE Planning Service has indicated also that it would be minded to transfer elements of Planning to councils notwithstanding any delay in the overall RPA programme.
- 2.16** Within this context, the Council should consider accepting the early transfer of such functions subject to a number of fundamental conditions such as transfer should be rates neutral at the point of transfer and that services being transferred should be adequately resourced. Authority is sought for engagement with the relevant departments in regards to the practical implications of handover and integration of the functions within the Council. Consideration should also be given to the potential for the Council to take forward pilots or partnership projects with central government departments in advance of the transfer to ensure the most efficient and effective transfer of functions and maximise any possible synergies which can be achieved through this process.
- 2.17** It is suggested that in moving forward there are a number of common principles which we should all seek to achieve as part of the transfer of functions process:
- Providing strong local government with service performance and costs of delivery in line with national best practice;

- Adding value for citizens with increased citizen satisfaction with services and value for money;
- Attracting developing and retaining high quality and dedicated staff with increased satisfaction levels and reduced staff turnover; and
- Providing value for money with minimum rate increases and decreased costs.

2.18 Detailed design work is now needed to develop viable options as to how the transferring functions may transfer and be assimilated within councils. The Council should take a lead role in driving forward such work. Council officials are continuing to engage with transferring functions departmental officials (e.g. DSD, DoE Planning, DRD Roads) to examine what is proposed to transfer to BCC. An initial officer workshop had been held in November 2009 to establish a shared understanding of the functions proposed to transfer to BCC (a copy of the workshop report is attached at Appendix 3) and it is proposed that a workshop should now be organised for Elected Members to further explore those issues.

4.0 Resource Implications

There are no Human Resource or financial implications contained within this report.

5.0 Recommendations

Members are asked to:

- (a) note the contents of this report and the appendices attached; and
- (b) agree that the Council continues to explore the potential for the early transfer of functions, notwithstanding any potential changes in the RPA reform timetable, subject to the conditions outlined above.”

The Chief Executive reviewed the uncertainties which still existed in relation to the Review of Public Administration. He highlighted particularly that no political agreement had been achieved in relation to the Environment Minister's proposed modifications to the Local Government Boundaries Commissioner's recommendations, the uncertainty expressed by the Land and Property Services agency regarding the issuing of rates bills, the funding of the transferring functions and assets and the lack of a legislative timetable to give effect to the Local Government Reform Programme.

The Chief Executive stressed the need for the Council to seek clarification from the Minister as to when the Reform Programme would be completed. He pointed out that for a long period of time the Council had levelled significant time and resources at preparing for the Review of Public Administration, which might now not be implemented until 2015, and, if that were the case, those resources would be better channelled into other areas, such as major regeneration and capital schemes for Belfast.

After discussion, the Committee adopted the recommendations and, in view of the resources being expended in preparing for the Review of Public Administration, agreed that a letter be forwarded to the Minister for the Environment seeking clarification on the timetable for the Review of Public Administration Local Government Reform Programme.

Consultation on the Clean Neighbourhoods and Environment Bill and Regeneration and Housing Bill

The Director of Legal Services submitted the undernoted report:

“1.0 Relevant Background Information

1.1 Members will be aware that there remains uncertainty on whether or not the Review of Public Administration local government reform will progress as currently planned for 2011 with the establishment of 11 new larger councils and the transfer of functions. There remain a number of key outstanding decisions (e.g. local government boundaries, agreement on how the reform programme will be financed), which will impact upon the delivery of the RPA programme.

1.2 Notwithstanding, there has been two significant legislation Bills recently submitted into the Committee Stages within the NI Assembly and issued for public consultation. These include:

1. Clean Neighbourhoods and Environment (Northern Ireland) Bill; and

2. Regeneration and Housing Bill

Both Bills are intended to confer additional statutory powers to local government; enabling councils to deliver more integrated and responsive services at the local level and improve the quality of life of citizens.

2.0 Key Issues

**2.1 Clean Neighbourhoods and Environment
(Northern Ireland) Bill**

2.1.1 On 1st March 2010, the Department of the Environment released the draft Bill for consultation, with comments sought by 23rd April 2010. The Bill seeks to broaden the regulatory powers of local government to enable councils to manage and improve their local environments and enable simpler enforcement action to be undertaken.

2.1.2 The Bill seeks to bring forward corresponding provisions already in place within England and Scotland enabling local councils to:

- create revised powers to deal with nuisance alleyways;
- deal more effectively with the problem of nuisance vehicles by allowing district councils to remove them immediately;
- provide a range of new and extended powers to enable more effective control over the problems of litter, free distribution of printed materials and abandoned shopping trolleys;
- provide a range of new and extended powers to enable more effective control over the problems of graffiti and fly-posting;
- provide a range of new and extended powers in regard to dog control;
- provide more flexible powers for dealing with noisy neighbours, night-time noise from licensed premises and nuisance intruder alarms;
- update the legislation on statutory nuisance; and
- ensure greater flexibility at the local level for the use of fixed penalty notices.

2.1.3 Members will note that a detailed response, which strongly welcomes the new powers proposed under the Bill, albeit with the caveat that there will be potential resource implications, is being considered by the Health and Environmental Services Committee (a copy of which can be made available to Members on request). This Bill has been brought to the attention of the Strategic Policy and Resources Committee within the context of the RPA and the potential future service and financial implications associated with the proposed extension to the Council's statutory powers.

2.2 Regeneration and Housing Bill

2.2.1 The Minister for Social Development, Margaret Ritchie MLA, has recently launched for public consultation a draft Regeneration and Housing Bill which sets out enabling legislation for the transfer to councils of some regeneration and housing related functions under the RPA. The closing date for the consultation is 26th April 2010.

2.2.2 The draft Bill puts forward policy proposals for the transfer of three areas of operational delivery from the Department of Social Development (DSD) and four from the Northern Ireland Housing Executive (NIHE) in May 2011.

2.2.3 The three DSD related functions include:

- Working in tackling urban deprivation; primarily the Neighbourhood Renewal Programme;
- Operational delivery of physical development projects under town and city environmental regeneration including; comprehensive development, public realm and environmental improvement; and
- Local community development support.

The four NIHE related functions include:

- Houses in multiple occupation;
- Housing unfitness;
- The Living Over the Shops (LOTS) initiative; and
- Local energy conservation.

2.2.4 The draft Bill seeks to enable Councils to:

- address disadvantage and undertake community development
- provide financial assistance to address social need
- prepare and adopt 'statutory development schemes'
- develop land for planning purposes
- undertake environmental improvements and public realm schemes
- define and take forward a range of regeneration projects in their districts
- undertake certain statutory housing responsibilities

2.2.5 Laganside Legacy

Members will note that the Bill also makes specific provisions for the transfer of the former Laganside Corporation's legacy of assets, liabilities and development agreements to Belfast City Council.

- 2.2.6** Clearly this is a very important piece of legislation which has the potential to impact upon the future role and functionality of the Council. It represents the first real positive step in enabling the transfer of additional functions to councils and in creating strong and responsive local government. The proposals will enhance local government service delivery and the ability of the Council to make a real and lasting difference at the local level and, therefore, should be strongly welcomed.
- 2.2.7** However, there are issues of detail which are still to be worked out when the associated regulations and potential transfer schemes are drafted. The Council will strongly advocate the need for intensive dialogue and engagement with the Department in relation to the development of the detail as to how the Bill will be implemented and the content of any associated subordinate legislation.
- 2.2.8** Members will note that there has been initial engagement between DSD and Council officials to establish the emerging departmental position in regards to the specific detail of the transfer of functions and associated resources to Belfast. An update on such discussions is set out within the accompanying RPA Transfer of Functions report to be considered by the Committee.
- 2.2.9** While a detailed draft Council response is attached for Members' consideration, there are a number of overarching strategic issues which Members should be made aware of. These include:
- 1) Legislative Process:** The Council is conscious that much of the detail around the outworking of this legislation will be set out within the subsequent regulations of which there is no detail at the moment. The Council would reiterate the need for the Department to consult with all interested parties in the drafting phase of any secondary legislation related to the draft Bill.
 - 2) Due consideration will also need to be given to the inter-relationship between this Bill (and its component parts) and other RPA related legislation (e.g. Local Government Reorganisation Bill) and their component parts e.g. transfer schemes.**

- 3) **Degree of central control/oversight:** While the Council would accept the role of the Department and Minister in setting the regional policy framework within which the functions will be administered, local government should be afforded the necessary autonomy and flexibility to deliver local and innovative development schemes.
- 4) **Regional Significance:** Given the role of Belfast in the regional economy, it could be considered that any significant developments within the city are likely to have regional implications with the result that the proposals could be taken out of the Council's remit and retained by the Department under the current provisions. Clarity has been sought on this issue.
- 5) **Transfer of Assets and Liabilities:** The Council would be concerned that provisions exist within the Bill which enable the Department to make regulations specifying exemptions to the transfer of assets and liabilities to councils in relation to both development schemes and Laganside. This could have significant financial implications for the Council if the Department were to transfer high-cost liabilities, yet retain high value assets.
- 6) **Resources:** In advance of any transfer of functions there needs to be a full due diligence assessment undertaken to ensure that the level of resources are adequate to provide the council with the capacity to deliver the functions effectively.
- 7) **Laganside:** The Council would have concerns about the ability of the Department (within the provisions of the Bill) to exempt a number of undeveloped sites from statutory transfer and instead transfer them on a non-statutory basis to the Council with specific conditions attached. Clarification is needed as to the Department's intentions in regard to this issue and the basis of any conditions attached to transfer. Again, the Council would advocate the need to be consulted with at an early stage.

3.0 Resource Implications

There are potentially significant resource implications for the Council resulting from the outworking of the Bill and the associated potential transfer of new functions to the Council in the future. At this stage, the resource implications are unknown; however, further detailed work will be required, working with the Department to examine any resource implications for the Council.

4.0 Recommendations

Members are asked to:

- (i) note the contents of this report and, in particular, the draft composite corporate response attached; and
- (ii) agree that the response (incorporating any revisions made by Committee) be submitted to the DoE, subject to ratification of the Committee's decision by Council

5.0 Decision Tracking

Following Committee approval, the Director of Legal Services will submit the Council's response to the DoE, subject to full Council approval."

Consultation on the Draft Regeneration and Housing Bill

Belfast City Council Draft Response

"1.0 INTRODUCTION

- 1.1 Belfast City Council welcomes the opportunity to respond to the draft Regeneration and Housing Bill. This is a timely and much needed piece of legislation, which represents the first real positive step in enabling the transfer of additional functions to councils and in creating strong and responsive local government. The draft Bill will enhance local government service delivery and the ability of the Council to make a real and lasting difference at the local level and, therefore, is strongly welcomed.
- 1.2 The Council seeks, through this response, to further enhance the effectiveness of this legislation for the benefit of its local people and for councils' residents across Northern Ireland.
- 1.3 The Council's response is structured as follows. First, the Council addresses a number of key strategic themes that arise, in a number of provisions, throughout the Bill. Second, the Council responds to the specific provisions of the Bill as relevant.

2.0 GENERAL COMMENTS

- 2.1 Legislative Process:** While the Council fully welcomes the Bill and the enhanced responsibilities it confers on councils, it is conscious that much of the detail around the outworking of this legislation will be set out within the subsequent subordinate legislation (i.e. regulations) of which there is no detail at the moment. The Council would therefore advocate the need for the Department to consult with all interested parties (including the Council) in the drafting phase of any subordinate legislation related to the draft Bill. This would enable the Council (and all councils) to assist the Department in drafting even more effective regulations for the benefit of local people.
- 2.2** Due consideration will also need to be given to the inter-relationship and operability between this Bill (and its component parts) and other RPA related legislation (e.g. Local Government Reorganisation Bill) and their component parts e.g. transfer schemes.
- 2.3 Relationship between central and local government:** While the Council recognises the role of the Department and Minister in setting the regional policy framework within which the functions will be administered, it would recommend that local government should be afforded the necessary level of autonomy and flexibility to deliver such functions at the local level.
- 2.4** The Council would be of the view that over-intervention by the Department would reduce the degree of freedom afforded to local authorities and would contradict the aspiration of the RPA to create a 'strong, dynamic and responsive local government sector'.
- 2.5** In particular the Council seeks clarification as to the Departments intentions in regards to: retaining a 'regional policy' role; input into projects which are of 'regional significance'; 'oversee' particular projects; have the power to 'approve' development schemes; and 'direct' councils with regards to specific initiatives.
- 2.6** Role clarity between central and local government in relation to the policy and operational aspects of the functions covered by this Bill will be important so as to provide the necessary clarity and assurances to relevant stakeholders impacted upon by the functions covered by the Bill. Any ambiguity may leave councils and the Department open to potential future challenge.

- 2.7 Regional Significance:** Given the role of Belfast in the regional economy it could be considered that any significant developments within the city are likely to have regional implications with the result that the proposals could be taken out of the Councils remit and retained by the Department under the current provisions of the Bill. The Council would request further detail from the Department on the classification of 'regional significant projects' and the role of the Council in progressing these.
- 2.8 Transfer of Assets and Liabilities:** The Council would be concerned that provisions exist within the Bill which enable the Department to make regulations specifying exemptions to the transfer of assets and liabilities to councils in relation to both development schemes and Laganside. This could have significant financial implications for the Council if the Department were to transfer high-cost liabilities yet retain high value assets.
- 2.9** The Council seeks to be fully and formally consulted in relation to the detailed breakdown of the precise nature of functions, assets, and liabilities that will transfer to councils in relation to the functions transferring under both Parts 1 and 2 of the draft Bill.
- 2.10 Laganside:** The Council would be concerned about the ability of the Department (within the provisions of the Bill) to exempt a number of undeveloped sites from statutory transfer to the Council, but instead transfer them on a non-statutory basis with specific conditions attached (as referred to at para 33, page 16 of consultation document). The Council would seek further detail in regards to the Departments intentions in regards to this issue and the nature of any conditions to be attached to undeveloped sites. Given the direct relevance to and impact upon the Council, it would seek formal engagement with the Department at an early stage.
- 2.11 Resources:** In advance of any transfer of functions there needs to be a full due diligence assessment undertaken to ensure that the level of resources are adequate to provide the council with the capacity to deliver the functions effectively.
- 2.12** Clearly there remain issues of detail which still need to be addressed when the associated subordinate legislation is being drafted. The Council looks forward to working closely with the Department in the development of any accompanying regulations which are to emerge from the Bill.

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**Pages 1852 – 1865 can be viewed on Mod.gov
as part of the Appendix to the Report**

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Clean Neighbourhoods and Environment Bill

The Director of Legal Services emphasised that a response to the Clean Neighbourhoods and Environment (Northern Ireland) Bill had been considered by the Health and Environmental Services Committee at its meeting on 12th April. However, he had felt it appropriate to draw to the attention of the Committee the main contents of the Bill within the context of the Review of Public Administration and the potential service and resource implications associated with the proposed extension to the Council's statutory powers.

A Member pointed out that the Health and Environmental Services Committee had expressed dissatisfaction with certain issues contained within the Bill but had approved the Council's response and agreed that a letter be forwarded to each MLA within the Belfast District Electoral areas seeking support for the Council's submission.

Noted.

Regeneration and Housing Bill

The Director of Legal Services highlighted the main points in the Council's response to the Regeneration and Housing Bill. He stated that, whilst the response was not proposing any amendments to the Bill, it had highlighted the issues in which further discussion, consultation and clarity was required before the development of any accompanying regulations which would emerge as a result of the Bill.

After discussion, the Committee approved the draft response to the Bill and agreed also that copies of the Council's response be forwarded to the Society of Local Authority Chief Executives and the Northern Ireland Local Government Association.

Local Government (Disqualifications) (Amendment) Bill

The Director of Legal Services advised the Committee that correspondence had been received from the Committee for the Environment seeking the Council's views on the draft Local Government (Disqualifications) (Amendment) Bill. He explained that the sole purpose of the Bill was to amend the Local Government Act (Northern Ireland) 1972 to make provision to disqualify Elected Members of the Northern Ireland Assembly from holding office as Councillors.

The Director pointed out that Section 4(1) of the Local Government Act (Northern Ireland) 1972 currently prescribed a range of circumstances which would disqualify a person from holding office as a Councillor. The Bill would extend the 1972 Act to preclude MLAs from being, or being elected, as a Councillor. Following Royal Assent, it would be the intention that the Bill would be operative on the day of the next District Council Elections, which were expected to take place in May, 2011.

The Director of Legal Services stated that the Bill addressed a political issue and an excess of 140 individuals and organisations, including political Parties, had been consulted. The comments received were strongly in favour of the proposal. Accordingly, he recommended that the Committee agree not to offer any objection to the introduction of the Bill.

The Committee adopted the recommendation.

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Democratic Services and Governance

Committee Meeting on 7th May, 2010

The Committee was reminded that Polling Day for the Westminster Parliamentary Elections was scheduled to take place on 6th May, with the count commencing immediately after the close of Poll at 10.00 p.m.

The Head of Committee and Members' Services reminded the Committee also that it was due to meet on Friday, 7th May, which was the day after Polling Day and the Count. However, it was recognised that many of the Members would be involved in assisting their Parties' nominated candidates in the Election and therefore might not be available to attend the Committee meeting on 7th May. Accordingly, it was recommended that the aforementioned meeting be cancelled and that the business be dealt with at the next meeting scheduled to be held on 21st May.

The Committee adopted the recommendation.

Chairman