



Belfast City Council

Report to:	Strategic Policy and Resources (Transition) Committee
Subject:	Review of Public Administration - Transition Committees in Statute
Date:	8 th May, 2009
Reporting Officer:	Peter McNaney, Chief Executive
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1.0	<u>Relevant Background Information</u>
1.1	Members will be aware that the Environment Minister, Sammy Wilson has already accepted that Belfast City Council manages its own transition process and that the Council's Strategic Policy and Resources Committee has been designated as the Transition Committee to oversee this process.
1.2	The role of the Council's Transition Committee will evolve over the coming months as it starts to lay the foundations in preparation for the new Council post May 2011. In order to do this it must have the statutory powers to make the decisions necessary to move the process forward.
1.3	Accordingly, the Department of the Environment recently issued a consultation document (copy attached at Appendix 1) which provides the voluntary Transition Committees with a statutory basis and sets out the proposed roles and responsibilities of this statutory committee.
1.4	Members will note that in compiling the draft Council response to the consultation document (copy attached at Appendix 2), discussions have taken place with the Director of Legal Services and Committee and Members' Services with regards to the legal and operational implications of the proposals put forward. The deadline for the submission of responses to the consultation document is 31 st May 2009.
2.0	<u>Key Issues</u>
2.1	Clearly Belfast is in a different position to its local government counterparts as it will not be merging within another Council but rather merely assimilating relatively small geographical areas of Castlereagh and Lisburn within its boundary and, therefore, many of the proposals contained within the consultation document should not apply to Belfast. The special circumstances of Belfast City Council are referred to within the consultation document.
2.2	The release of this consultation document is very timely given the fact that the Transition Committees and the Transition Management Teams have been established and, in many instances, are in the process of developing a programme of work to support the RPA transition process which should take account of the evolving role of the Transition Committee.
2.3	The consultation document sets out proposals in regard to: <ul style="list-style-type: none">▪ roles and responsibilities of the Statutory Transition Committee;▪ the size and membership of the Transition Committees;▪ mechanisms to ensure proportionality in terms of membership;▪ governance arrangements including the appointment of Chairs and Vice-Chairs;▪ mechanisms to enable decisions to be 'called-in';▪ code of conduct for Members on the Transition Committee;▪ meetings of the Transition Committee to be open to the public;

	<ul style="list-style-type: none"> ▪ future role of the Local Government Staff Commission in supporting RPA transition; ▪ Transition Committees having a power of approval over budgets of constituent Councils in the year preceding the coming into operation of the new Council so as to ensure that constituent Councils do not act in a manner which would have an adverse impact on the incoming new Council; and ▪ the provision of a Power of Direction to the Department to step in where a Transition Committee is failing to take the key decisions in relation to the preparation for the new council.
2.4	An initial draft response to the consultation document is set out at Appendix 2 for Chief Officers' consideration and comment. It would be the intention that the revised draft response would be submitted to the Council's Strategic Policy and Resources Committee at its meeting on 8 th May so as to enable it to be forwarded to the Department by 31 st May 2009 (on the basis that it would be subject to ratification by Council in June 2009).
2.5	Further consideration will need to be given to the potential tensions between the Transition Committee and the role of the Council. The decisions taken by Transition Committee will not be subject to ratification by Council. This should be alleviated somewhat as approval has been granted for the Strategic Policy and Resources Committee to have delegated authority to take decisions of a transitional nature within the context of the guidance to be provided by the DoE.
2.6	Given the fact that the Environment Minister has already confirmed that the Strategic Policy and Resources Committee would be the Council's Transition Committee and in anticipation of the guidance to be issued by the Department, the Committee had agreed, at its meeting on the 20 th March 2009, that delegated authority be given to the Council's Transition Committee (i.e. SP&R) to take decisions on transitional related matters. It would be recommended that within the context of the Transition Committees being given a statutory basis, that this delegated authority be retained by the Council's Transition Committee.

3.0 Resource Implications

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

4.0 Recommendations

Members are asked to:

- i) note the contents of this report and the draft response attached at Appendix 2; and
- ii) approve the submission of the draft response to Department of Environment, subject to the incorporation of any comments received by Members;

5.0 Documents Attached

Appendix 1	Consultation document on Transition Committees in Statute
Appendix 2	Belfast City Council Draft Response