



## Belfast City Council

<b>Report to:</b>	Strategic Policy and Resources Committee
<b>Subject:</b>	<b>Appointments to Belfast Harbour Commissioners</b>
<b>Date:</b>	17 <sup>th</sup> June, 2011
<b>Reporting Officer:</b>	Stephen McCrory, Democratic Services Manager (ext 6314)
<b>Contact Officer:</b>	

<b>1</b>	<b>Relevant Background Information</b>
1.1	The Belfast Harbour Order (Northern Ireland) 2002 provides that a maximum of four of the Harbour Commissioners shall be Members of Belfast City Council.
1.2	In past years, the nomination of the four members to fill these positions was determined as part of the overall pool of appointments to Outside Bodies, using the d'Hondt system of proportionality, at the Annual Council meeting immediately following the local elections.
1.3	The Council was informed on 27 <sup>th</sup> April by the Department for Regional Development that concerns had been expressed by the Commissioner for Public Appointments in relation to the appointments process in that the Council was not providing a number of candidates from which four would be chosen to fill the positions following a public appointments process. Accordingly, the Department indicated that it would inform the Council of the process to be applied after the Assembly elections had been completed and the new Minister appointed.
1.4	Correspondence has been received from the Department dated 6 <sup>th</sup> June (copy attached at Appendix 1) indicating that the Council should provide to it the names of eight Members who would be willing to serve as Commissioners from which four would be selected following an interview.
1.5	The Department has also pointed out that, in normal circumstances, a Councillor would not be permitted to serve more than two terms (normally of four years each) as a Commissioner and no more than ten years in total. Although there may be some flexibility in relation to the first condition, subject to Departmental permission, the ten year rule is absolute and Members are requested to bear this in mind.

<b>2</b>	<b>Key Issues</b>
2.1	This matter was discussed at the meeting of Party Leaders on 25 <sup>th</sup> May when the allocation of places on Outside Bodies was being determined and it was decided that, due to the uncertainty which existed at that time as to the Department for Regional Development's intentions, the nomination of Members to the Harbour Commissioners should be dealt with by the Committee as a separate matter.
2.2	The Committee is reminded that, in December, 2009, when it was considering the appointment of Members to the newly constituted Interim Belfast Education and Library Board, it was decided that a one-off selection process using the d'Hondt system was the proper way to proceed.
2.3	In keeping with this principle, a one-off d'Hondt exercise for eight names would provide the following result:  Sinn Fein – choices 1, 3 and 7 DUP – choices 2, 5 and 8 SDLP – choice 4 Alliance – choice 6
2.4	Alternatively, the Committee might decide that it should continue to run on the existing d'Hondt table of choices, which was used for the appointment of Members to Outside Bodies at the Annual Council meeting on 26 <sup>th</sup> May, for the next available eight choices. Using this system the following results are achieved:  Sinn Fein – choices 38, 41 and 44 DUP – choices 37, 40 and 43 SDLP – choice 42 Alliance – choice 39
2.5	The same results are achieved by using either methodology. That is, three Sinn Fein nominations, three DUP nominations and one nomination each from the SDLP and Alliance.

<b>3</b>	<b>Resource Implications</b>
	None.

<b>4</b>	<b>Equality and Good Relations Implications</b>
	None. The identification of those Parties entitled to nominate members for consideration for appointment is based upon the Council's accepted system of proportionality.

<b>5</b>	<b>Recommendations</b>
5.1	In order to ensure a consistency of approach, the Committee is recommended to employ a one-off d'Hondt process for these appointments which would provide for three Sinn Fein nominations, three DUP nominations and one nomination each from the SDLP and Alliance.
5.2	Similarly, in order to be consistent with the approach taken when considering appointments to the Interim Belfast Education and Library Board in 2009, the Committee is recommended to advise the Department for Regional Development that the application of the Council's system of proportionality would provide for the first four of those eight choices being two Sinn Fein representatives (choices 1 and 3), one DUP representative (choice 2) and one SDLP representative (choice4).

<b>6</b>	<b>Decision Tracking</b>
Stephen McCrory, Democratic Services Manager	
5 <sup>th</sup> July, 2012.	

<b>7</b>	<b>Documents Attached</b>
Appendix 1 – Letter from Department for Regional Development	