



## Local Government Policy Division

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Your  
reference:  
Our reference: DO1-14-3254  
Date: 20 October 2014

Dear Suzanne,

### **CONSULTATION ON COUNCIL CHARTERS AND STATUS - THE LOCAL GOVERNMENT (TRANSITIONAL, INCIDENTAL, CONSEQUENTIAL AND SUPPLEMENTAL PROVISIONS) REGULATIONS (NORTHERN IRELAND) 2014**

The Department is seeking your council's views on council charters and status and the proposed Local Government (Transitional, Incidental, Consequential and Supplemental Provisions) Regulations (Northern Ireland) 2014 (the Regulations).

The aim of the Regulations is to make legislative provision to allow new councils to take decisions in relation to charters, status and names of councils, freemen's rolls and the designation of aldermen.

It should be noted that provisions in relation to council names and new borough charters are contained within existing local government legislation (sections 1, 2 and 51 of the Local Government Act (NI) 1972 and section 1 of the Local Government Act (NI) 2014 refer). Under this existing legislation, the council may choose to remain a district council or to petition the Secretary of State for the grant of a new charter.

In addition to the above options already provided for in primary legislation, the Regulations would allow a council to opt to continue an existing borough charter within its district and to ensure that the roll of honorary freemen of outgoing charters may be preserved. The Regulations would specify that councils wishing to continue a charter must do so by 1 April 2016.



Once the Regulations are in place, the following options will be available to your council:

- a. take no action and remain a district council;
- b. petition the Secretary of State for the grant of a new charter under section 2 of the Local Government Act (NI) 1972. Although the council may make a petition at any time, the Regulations will provide that if a new charter is granted before 1 April 2016, the roll of honorary freemen of any outgoing charters will form part of the new charter. If a petition is made in advance of the Regulations being made, preservation of a roll of honorary freemen will not be possible; or
- c. continue a charter which currently exists within its local government district. The council must resolve to continue a charter by 1 April 2016 (the roll of honorary freemen of any outgoing charters would form part of the continuing charter and the name attached to the continuing charter would be changed to the name of the district of the new council).

However, option (c) above is the only option which allows for the retention of Belfast's city status post-2015. As such, the Regulations dealing with new councils' charters and status have been drafted so as to continue the existing charter of Belfast (and other cities where city status is linked to a charter) without the new council being required to take any action.

This is similar to the approach taken during the last period of local government reform in the 1970's where the continuation of city status was automatically provided for in legislation (in relation to Northern Ireland's two cities at that time, Belfast and Derry/Londonderry). This course of action would maintain the current situation and avoid the potential loss of Belfast's city status (there has been an occurrence of this in England).

A consultation document has been placed on the DOE website and can be accessed at: [http://www.doeni.gov.uk/index/local\\_government/local\\_government\\_consultations.htm](http://www.doeni.gov.uk/index/local_government/local_government_consultations.htm)

I would welcome your comments on the proposed Regulations. These can be forwarded either by email ([LGPDConsultations@doeni.gov.uk](mailto:LGPDConsultations@doeni.gov.uk)) or by post to:

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Department of  
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Please note that comments on the proposals should be received by  
12 December 2014.

Yours sincerely,

**Tracy Johnston**