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GOVERNANCE SUB GROUP POLITICAL PARTY REPRESENTATIVES

MINUTES OF MEETING ON 14 JUNE 2006

AT LOUGH NEAGH DISCOVERY CENTRE

ATTENDEES:

Victor Brownlees	Armagh City & District Council (Chair)
Nora Winder	Armagh City & District Council
Gerry Miller	Belfast City Council
John Mathews	Alliance Party
Paul Butler	Sinn Fein
John O'Kane	SDLP
Arnold Hatch	UUP (representing Danny Kennedy)
Jim Wells	DUP (representing Peter Robinson)
Jonathan Huish	IDeA
Mylene Ferguson	DoE
Piers Dalgarno	DoE
Greg Magee	DoE

Apologies: Peter Robinson DUP
 Danny Kennedy UUP

1. The Chair welcomed everyone to the second meeting of the sub group political representatives. He advised that the group must be clear about what could be achieved by the end of June although the Minister had agreed to allow some slippage in the deadline. He suggested two key areas that the group should concentrate on:
 - Identifying the key issues to be addressed; and
 - Considering what has to be legislated for in the new Local Government Order and what can be parked for consideration later.
2. The IDeA peer then asked members for suggestions of the key issues that they felt had to be addressed. The following points were agreed:
 - Code of Conduct
 - Representation, including proportionality
 - Citizen Focus
 - Safeguards
 - Councillor/Officer Relationships
 - Decision Making
 - Default Power
 - Local Government Commissioner

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In addition to these the Chair suggested an Internal Standards Committee, Split responsibilities and Regulatory & Quasi Judicial functions as issues for consideration.

The representative from the DOE legislative team advised that a draft Report was currently being prepared in relation to Code of Conduct which would require Ministerial approval, and it was hoped that it would be ready early July.

3. The IDeA peer next asked members to detail which of the key issues identified had to be legislated for and the following list was agreed:
 - Code of Conduct
 - Safeguards, internal/external and split responsibilities
 - Councillor/Officer Relationships
 - Central/Local Government Relations
 - Regulatory & Quasi Judicial Functions, eg. Planning/Licensing
 - Audit Committee
4. The group then considered the remaining key issues from the initial list.

Representation

Members suggested that the two key considerations under representation were proportionality and the allocation of posts. It was agreed that a general principle of proportionality should be established together with a menu of options of different models which would be objective and reflect the make up of the community.

It was suggested that the total number of votes received by a party should be taken into account rather than just the votes received by successful candidates. This may ensure greater representation.

It was also suggested that all senior positions should be split to ensure fairness and that this should be prescribed. It was argued however that over prescription could result in stunting the process.

Other issues for consideration included the need for a mechanism for agreeing which option to use and what would happen in the interim period while this decision was being made.

Decision Making

It was suggested that the two main decision making issues are:

- The major council decisions, eg setting rates; and
- Those operational decisions around running normal council business.

Some discussion followed on various models such as committee systems, management boards and cabinets. The IDeA peer advised

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that decision making in Wales follows a Council – Cabinet – Scrutiny style.

A question was raised over the call-in procedure. It was suggested that if all councillors were content with decisions being made, then no one would call-in, for example decisions around planning applications. Possible solutions included ensuring there was an external check, an increased role for the Local Government Auditor (with a widened CPA role), an oversight function in Central Government, the Ombudsman (although this has considerable financial restrictions) and judicial review.

It was also suggested that the call-in procedure could be used as a delaying tactic, slowing the decision making process. Consideration may be given to curtailing the number of times a member can call-in during the year.

5. The next meeting of the group is 9.30am on 27 June 2006 at the Seagoe Hotel, Portadown. The Chair advised he would check the availability of the IDEA peer and a further meeting may be arranged.