

DRAFT

GOVERNANCE SUB GROUP POLITICAL PARTY REPRESENTATIVES

NOTE OF MEETING ON 6 JULY 2006 AT LOUGH NEAGH DISCOVERY CENTRE

ATTENDEES:

Victor Brownlees	Armagh City & District Council (Chair)
Gerry Miller	Belfast City Council
Peter Robinson	DUP
John O'Kane	SDLP
David Ford	Alliance Party
Danny Kennedy	UUP
Jonathan Huish	IDeA
Paul Butler	Sinn Fein
Piers Dalgarno	DoE
Mylene Ferguson	DoE
Janet Cooper	DoE

Apologies: John Mathews Alliance

1.0 Minutes of previous meeting (30 June 2006)

The minutes of the meeting held on 30 June 2006 were agreed subject to the following amendments.

- 1.1 Para 2.1- Equitable representation / sharing of civic responsibility; should be amended to read "It was agreed that there was a requirement for proportionality to be enshrined in legislation. Guidance should provide councils with the default arrangement and a menu of other proportionality models to select from. Councils may adopt any of these models however any departure from the menu will require approval by the Minister".
- 1.2 Para 3.5 – The Chair clarified issues around the member / officer protocol and the inclusion of senior council officers within the code of conduct
- 1.3 Para 4.5 – Regulatory and quasi – judicial responsibilities of the council; should be amended to read "The IDeA peer explained that in Wales, up to 80% of such matters are dealt with by officers. Elected members are not permitted to discuss for example planning applications with constituents and declaration of interests by elected members in relation to planning applications are much more stringent than Northern Ireland. IDeA's advice was to take a more moderate approach to this issue than Wales".

- 1.4 Para 4.6 – Legislation should be put in place to require councils to have effective mechanisms in place to assist in the structuring of their decision making processes eg taking decisions, scrutinising their impacts / outcomes, co-ordinating corporate interests of the council, monitoring performance, developing policy, consultation and holding other bodies to account for services delivered to citizens within particular council areas. Guidance will include a range of options for councils to choose from. Should a council wish to select any other approach, Ministerial approval will need to be sought.

2.0 Matters arising

- 2.1 (2.1.6 of the report) – The Chair advised that he had spoken to the DoE Permanent Secretary regarding the “Code of Conduct” currently being drafted by Local Government Division and it was agreed that the political representatives would have sight of the draft before approved by the Minister.
- 2.2 (3.1.6 of the report) – Discussion ensued about the requirement for councils to publish an annual report. It was accepted that varying degrees of detail could be issued to different bodies, groups or individuals depending on their particular interest.
- 2.3 (4.1.1 of the report) – Citizen engagement. It was agreed that although councils should be required to engage with their local citizens, it was important that enabling legislation only should be put in place allowing councils to decide what suits the needs of their particular area.

Further consideration needed to be given to the specific functions to be carried out by these local forums.

3.0 Decision making and accountability – weighted majority, “call in”

- 3.1 A paper with the following sections was issued for discussion, (can be viewed at www.doeni.gov.uk/lgd/localgovreform, under governance). The figures used are based on certain assumptions which are clearly set out at the beginning of each of the following sections.
- i. overview of the application of D’Hondt;
 - ii. A percentage breakdown of electoral seats within the 2008 reconfiguration of local councils;
 - iii. Application of D’Hondt for the appointment of the Chairman and Deputy Chairman of 5 principle committees;
 - iv. Application of D’Hondt for the appointment of the Lord Mayor and Deputy Lord Mayor.

3.2 The IDeA peer explained how the “call in” process operates within local government in Wales.

Discussion ensued regarding:

- * the number of members required to “call in” a decision;
- * should certain decisions should be exempt from the process;
- * whether a limit should be imposed on the number of times a councillor can sign in any one year to prevent a small group of councillors from frustrating council business;
- * the merits of the Assembly “call in” mechanism and;
- * pre-emptive v retrospective “call in”.

3.3 It was agreed that a threshold of 20% of members should be set to allow “call in” on any decision with a weighted majority vote of 75% to carry it. Weighted majority voting should only be required if the “call in” procedure was initiated. If deadlock exists, opportunity should be provided for reconsideration / negotiation with the final decision resting with the Minister if agreement cannot be reached. This would not replace any of the other appeals mechanisms already in place.

4.0 The Chair advised that the final report would be amended to reflect the added changes discussed at the meeting. The report would then be tabled for discussion along with the other sub group reports at the Political Panel meeting on 17 July 2006.