

STRATEGIC LEADERSHIP BOARD MEETING – 5 FEBRUARY 2007

UPDATE ON LEGISLATIVE PROPOSALS

AGENDA ITEM: 11

SUMMARY: Providing members with an update on the position in relation to the preparation of the draft Local Government (NI) Order and the Local Government (Transfer of Functions) (NI) Order.

ACTION REQUIRED: For information

(A) DRAFT LOCAL GOVERNMENT (NI) ORDER 2006
(formerly known as the Local Government (Structures) (Northern Ireland) Order)

1. The Department proposes to introduce, by way of Order in Council, a Local Government (Northern Ireland) Order which will update the local government legislative framework and give effect to the decisions on the Review of Public Administration which were announced by the Secretary of State on 22 November 2005. The proposed Order will amend the legislation relating to local government administration, finance and audit in Northern Ireland in order to provide more modern powers for the new 7-council structure.
2. The recommendations of the Councillors' Remuneration Working Group, the Code of Conduct Working Group and the Taskforce sub-groups have informed the proposals to be included in the draft Order.
3. Just over 50% of the instructions (including finance arrangements, remuneration, & severance, community planning & well-being, central/local relations and civil contingencies) have been forwarded to OLC. Policy development on the remaining issues (including governance and performance management) is being finalised and drafting of the instructions is continuing. The target date for having complete instructions submitted to the Office of Legislative Counsel (OLC) is 28 February 2007.

(B) DRAFT LOCAL GOVERNMENT (TRANSFER OF FUNCTIONS) (NI) ORDER 2007

4. In April 2006, the Department of the Environment's Local Government Reform Division was tasked with co-ordinating the delivery of the Local Government (Transfer of Functions) (Northern Ireland) Order 2007. This is the primary legislation required to transfer a range of key functions (e.g., fire and rescue services, planning, local roads maintenance and development, urban regeneration and certain housing related functions), from central to local government, and to establish any new statutory relationships between Departments and the new district councils following the transfer of functions in 2009.
5. 99% of the instructions have been forwarded to OLC. Policy development on the remaining issues is being finalised and the drafting of Instructions will continue during January 2007. The target date for having complete Instructions submitted to OLC is 28 February 2007.
6. The following legislative timetable for the Order has been prepared and agreed with Ministers:-

Oct 06/Feb 07	Preparation of Instructions to the Office of Legislative Counsel (OLC).
Feb/May 07	Drafting Period
Jun/Sept 07	Consultation on draft Legislation
Nov 07	Date of Laying at Westminster
Nov/Dec	Debates in HOC/HOL
Early 08	Privy Council (Order made)