

*Draft Regulations laid before the Assembly under section 24 of the Local Government (Miscellaneous Provisions) Act (Northern Ireland) 2010, for approval*

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DRAFT STATUTORY RULES OF NORTHERN IRELAND

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**2013 No. 000**

**LOCAL GOVERNMENT**

**The Local Government (Statutory Transition  
Committees) Regulations (Northern Ireland) 2013**

*Laid before the Assembly in draft*

*Made - - - -*

*Coming into operation*

The Department of the Environment makes the following Regulations, in exercise of the powers conferred by sections 15 to 17 and 24 of the Local Government (Miscellaneous Provisions) Act (Northern Ireland) 2010<sup>(1)</sup>.

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Local Government (Statutory Transition Committees) Regulations (Northern Ireland) 2013 and shall come into operation on

(2) In these Regulations—

“1972 Act” means the Local Government (Northern Ireland) Act 1972<sup>(2)</sup>;

“2010 Act” means the Local Government (Miscellaneous Provisions) Act (Northern Ireland) 2010;

“2011 Act” means the Local Government Finance Act (Northern Ireland) 2011<sup>(3)</sup>;

“district” means a local government district established in pursuance of section 1 of the Local Government (Boundaries) Act (Northern Ireland) 2008<sup>(4)</sup>.

(3) In these Regulations, a reference to a name of a district is a reference to the corresponding name set out in Schedule 1 to the Local Government (Boundaries) Order (Northern Ireland) 2012<sup>(5)</sup>.

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(1) 2010 c. 7(N.I.) as amended by 2011 c. 10 (N.I.).

(2) 1972 c. 9(N.I.).

(3) 2011 c. 10(N.I.).

(4) 2008 c. 7(N.I.).

(5) S.R. 2012 No. 421.

## **Establishment and membership of statutory transition committees**

2. In relation to each new council, there shall be established a statutory transition committee.
3. A statutory transition committee shall hold its first meeting within 35 days of the date on which these Regulations come into operation.
4. Subject to regulation 5(3), a member of a statutory transition committee shall be a councillor of a predecessor council.
- 5.—(1) Subject to paragraphs (2) and (3), each statutory transition committee shall consist of not more than 16 members with equal representation from its predecessor councils.
  - (2) The statutory transition committee in relation to the new council for the district of Causeway Coast and Glens shall consist of not more than 20 members with equal representation from its predecessor councils.
  - (3) The statutory transition committee in relation to the new council for the district of Belfast shall consist of —
    - (a) not more than 21 councillors of the predecessor council;
    - (b) two councillors of Castlereagh Borough Council; and
    - (c) two councillors of Lisburn City Council.
6. If a member of a statutory transition committee fails to attend 3 consecutive committee meetings, they shall cease to be a member of the statutory transition committee, unless the reason for failure to attend is approved by the statutory transition committee at its next meeting.
- 7.—(1) Subject to paragraph (2), a member of a statutory transition committee shall, upon ceasing to be a member of a predecessor council, also cease to be a member of the statutory transition committee.
  - (2) In respect of the statutory transition committee in relation to the new council for the district of Belfast, where a member who is a councillor of Castlereagh Borough Council or Lisburn City Council ceases to be a member of that council, they shall also cease to be a member of the statutory transition committee.
- 8.—(1) Subject to paragraph (2), a vacancy on a statutory transition committee shall be filled by a councillor nominated from the predecessor council of which the vacating member is a councillor.
  - (2) In respect of the statutory transition committee in relation to the new council for the district of Belfast, where a position is vacated by a member who is a councillor of Castlereagh Borough Council or Lisburn City Council, the vacancy shall be filled by a councillor appointed by that member's council.
  - (3) A vacancy on a statutory transition committee shall be filled as soon as is practicable.
9. A statutory transition committee shall notify the Department in writing of its membership.

## **Procedures of statutory transition committees**

- 10.—(1) Subject to paragraphs (2) to (4) and regulation 18(1) and (2), the provisions of Schedule 1 shall have effect in respect of meetings and proceedings of statutory transition committees.
  - (a) (2) (a) The election of a chairperson and vice-chairperson shall be the first business transacted at the inaugural meeting of a statutory transition committee; and
  - (b) the chairperson and vice-chairperson shall be elected by a statutory transition committee from among its members.

(3) The chairperson and vice-chairperson shall, unless they resign or are disqualified, continue in office until their successor becomes entitled to act.

### **Payment of allowances to members**

**11.—(1)** An existing council may make a payment to a member of its council who is also a statutory transition committee member, by way of an allowance for, or in relation to anything done in connection with, their service on that committee.

(2) In relation to payment to members, by way of an allowance for, or in relation to anything done in connection with the statutory transition committee for the new council for the district of Belfast:

- (a) Belfast City Council may make a payment to a member of its council who is also a member of that committee;
- (b) Castlereagh Borough Council may make a payment to a member of its council who is also a member of that committee; and
- (c) Lisburn City Council may make a payment to a member of its council who is also a member of that committee.

**12.** The amount of the allowance shall be the same for each councillor of an existing council who is a member of a statutory transition committee and shall not exceed £2700 per annum.

**13.** Where a statutory transition committee member ceases to be a member of the committee, otherwise than by virtue of regulation 21, their entitlement shall be to payment of such part of the allowance as bears to the whole the same proportion as the number of months for which the duration of their membership lasted.

**14.** For the purposes of these Regulations, the provisions of regulation 5(5) and 5(8) of the Local Government (Payments to Councillors) Regulations (Northern Ireland) 2012 (special responsibility allowance)(6), shall not apply.

### **Provision of premises and facilities**

**15.—(1)** Predecessor councils shall—

- (a) provide suitable premises and facilities to the statutory transition committee for the district of which they will form part;
- (b) provide administrative staff to the statutory transition committee for the district of which they will form part; and
- (c) subject to paragraphs (2) and (3), meet any costs incurred by the statutory transition committee for the district of which they form part in carrying out its functions so far as such cost is reasonable,  
in such a manner as may be agreed between them.

(2) In determining any costs incurred by a statutory transition committee, the amount shall be proportional to the number of elected members from the predecessor councils comprising the membership of that committee.

(3) In relation to determining any cost incurred by the statutory transition committee in relation to the new council for the district of Belfast, the amount shall be proportional to the number of elected members from the predecessor council and the number of elected members from Castlereagh Borough Council and Lisburn City Council who comprise the membership of that committee.

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(6) [S.R. 2012 No. 85](#)

### **Functions of a statutory transition committee**

- 16.—(1) A statutory transition committee, in respect of a new council, shall—
- (a) gather information and consider and advise on matters relevant to ensuring that the new council will be able to adopt its full range of powers and functions from 1st April 2015;
  - (b) prepare a draft Corporate and Business Plan for the agreement of the new council;
  - (c) prepare a draft budget for the agreement of the new council; and
  - (d) arrange the first meeting of the new council.
- (2) Subject to paragraph (3), a statutory transition committee shall—
- (a) publish its Corporate and Business Plan; and
  - (b) agree with the predecessor councils within the district in relation to which it is established, a budget for the operation of the committee.
- (3) The statutory transition committee in relation to the new council for the district of Belfast, shall agree a budget for its operation with the predecessor council, Castlereagh Borough Council and Lisburn City Council.

### **Appointment of staff to a new council**

17. A statutory transition committee shall appoint a clerk of the new council for its district.
- 18.—(1) The selection and appointment of a person to the office of clerk for a new council—
- (a) must be on merit on the basis of fair and open competition; and
  - (b) must be approved by a two-thirds majority of the membership of the statutory transition committee.
- (2) In determining the two-thirds majority in accordance with paragraph (1)(b), the chairperson of the committee shall not have a casting vote.
- (3) A statutory transition committee may appoint other staff to the new council for its district as it deems appropriate.
- (4) The appointments mentioned in paragraphs (1) and (3) shall be in accordance with the provisions of sections 40 and 41 of the 1972 Act.

### **Duties of existing councils and statutory transition committees**

19. Predecessor councils shall provide to a statutory transition committee such assistance and information as may reasonably be requested for the purposes of a statutory transition committee discharging any of its duties and functions.
20. A statutory transition committee shall—
- (a) provide all necessary information to the new council for its district;
  - (b) share information with another statutory transition committee as necessary; and
  - (c) provide all necessary information to predecessor councils whose councillors sit on that committee.

### **Winding up of statutory transition committees**

21. A statutory transition committee established under these Regulations shall cease to exist 28 calendar days after the local government elections in 2014.

### **Application of existing local government legislation to statutory transition committees**

**22.** The provisions of the 1972 Act specified in Schedule 2 shall apply to statutory transition committees as they apply to councils as if—

- (a) any reference to a council or to a committee of a council included a reference to a statutory transition committee;
- (b) any reference to a councillor included a reference to a member of a statutory transition committee;
- (c) any reference to the offices of a council included a reference to the place of meeting of a statutory transition committee; and
- (d) any reference to the district of a council included a reference to the districts of all the predecessor councils which have nominated councillors to a statutory transition committee.

**23.** The provisions of the 2011 Act mentioned in Schedule 3 shall apply to statutory transition committees as they apply to councils as if—

- (a) any reference to a council or to a committee of a council included a reference to a statutory transition committee;
- (b) any reference to a councillor included a reference to a member of a statutory transition committee; and
- (c) any reference to the offices of a council included a reference to the place of meeting of a statutory transition committee.

Sealed with the Official Seal of the on

(L.S.)

*Name*  
A senior officer of the Department of the  
Environment

## SCHEDULES

### SCHEDULE 1

Regulation 10

#### Meetings and proceedings of statutory transition committees

##### **Convening meetings**

1. A statutory transition committee shall, subject to any deviation which special circumstances may render desirable, hold regular meetings on dates, venues and at times to be determined by the statutory transition committee. Any such meeting shall not, however, take place on a Bank Holiday, Saturday or Sunday.

2.—(1) The chairperson of the committee may call a meeting of the statutory transition committee at any time.

(2) If a requisition for a meeting of the committee signed by five committee members or by one-fifth of the membership of the committee, whichever is the greater, is presented to the chairperson of the committee, they shall call a meeting of the committee to be held within the period of fourteen days from the date of service of the requisition on them.

3. If the chairperson refuses to call a meeting of the committee in accordance with paragraph 2 or does not, within the period of seven days from the date of service of the requisition on them, call a meeting of the committee in accordance with paragraph 2, any five committee members or one-fifth of the membership of the committee, whichever is the greater, may on that refusal or on the expiration of that period forthwith call a meeting of the committee.

##### **Duly appointed officer**

4. The statutory transition committee when established shall appoint an officer for the purposes of ensuring the appropriate regulation of the committee's business.

##### **Chair to be taken**

5.—(1) At a meeting of the committee the chairperson of the statutory transition committee, if present, shall preside.

(2) If the chairperson of the committee is absent from a meeting of the committee, the vice-chairperson, if present, shall preside.

(3) If both the chairperson and the vice-chairperson of the committee are absent from a meeting of the committee, such committee member as the members present may choose shall preside.

(4) At each meeting of the committee, the chair shall be taken at the time for which the meeting is convened, and business immediately proceeded with.

##### **Allocation of seats**

6. Seating of members at the chosen venue shall be through mutual arrangement between the various political groupings and any independent members. Any points of dispute shall be decided by the committee.

## **Quorum**

7.—(1) Subject to sub-paragraph (2), no business shall be transacted at a meeting of the committee unless at least one-quarter of the membership of the committee is present.

(2) Where more than one-quarter of the committee members become disqualified at the same time, then, until the number of members in office is increased to not less than three-quarters of the whole number of members, the quorum of the committee shall be determined by reference to the number of members remaining qualified instead of by reference to the whole number of members.

(3) Upon the attention of the chairperson being called by a member or duly appointed officer to the fact that there is not a quorum present, the chairperson shall declare the meeting of the committee at an end, and the names of those who are present and those who are absent shall be recorded on the minutes of the committee.

## **Minutes and attendance**

8.—(1) The duly appointed officer shall be responsible for arranging that minutes of each meeting of the committee are taken and produced.

(2) The committee shall agree the nature and style of the minutes to be recorded. In the absence of agreement on the nature of the minutes the minutes shall as a minimum record the significant aspects of the discussion on the relevant agenda item, and any decision(s) taken by the committee together with the names of proposers and seconders.

9. The names of the members present at a meeting of the statutory transition committee shall be recorded by the duly appointed officer.

## **Deputations to the committee**

10.—(1) Deputations shall only be admitted to the committee provided the committee shall have previously considered and approved such a request, except that, in exceptional circumstances where the matter to be discussed is of such importance and where there is not sufficient time to allow a request to be submitted to a meeting of the committee, the chairperson shall have authority to agree to receive the deputation.

(2) The purpose of such deputation shall be confined to the presentation of a statement or copy of resolutions and the making of not more than two short addresses by members of the deputation.

(3) The duration of any deputation's submission shall be limited to ten minutes.

## **Admission of the public**

11.—(1) Subject to sub-paragraphs (2) to (4) and paragraph 12, every meeting of a statutory transition committee shall be open to the public.

(2) A statutory transition committee may by resolution exclude the public from a meeting of the committee (whether during the whole or part of the proceedings at the meeting) whenever publicity would be prejudicial to the public interest—

- (a) by reason of the confidential nature of the business to be transacted at the meeting; or
- (b) for such special reasons as may be specified in the resolution being reasons arising from the nature of the business to be transacted or of the proceedings at the meeting.

(3) Without prejudice to the generality of subsection (2), the committee may treat the need to receive or consider recommendations or advice from sources other than councillors, committees, sub-committees or joint committees of predecessor councils as a special reason for the purposes of subsection (2)(b) without regard to the subject or purport of the recommendations or advice.

(4) The public may attend only in the area designated as the public gallery area of the chosen venue. A separate area will be established for use by the press. Attendance by members of the public and press is subject to the following -

- (a) the admission of persons to the public gallery area shall be upon the understanding that they must continue at all times to remain seated, and that no expression of opinion or noise of any kind shall be allowed from them;
- (b) that the person presiding may at any time during the proceedings, if considered necessary to secure order, direct the removal of any individual from the gallery, or order the gallery to be wholly cleared.

### **Statutory transition committee in committee**

12.—(1) Where, at a meeting of the statutory transition committee, the committee resolves itself into committee, the proceedings in committee shall, for the purposes of these Regulations, be treated as forming part of the proceedings of the statutory transition committee at the meeting.

(2) Having resolved itself into committee, the statutory transition committee shall not consider any matter not referred to it by the resolution resolving the statutory transition committee into committee, but if it should be deemed necessary to consider any matter not included in the terms of reference, the statutory transition committee shall be resumed, and the chairperson may ask leave of the committee to take up the consideration in committee of such additional matters as may be deemed desirable.

(3) The statutory transition committee while in committee shall not have power to adjourn its own sittings, or to adjourn a debate to a future sitting. To adjourn a sitting or debate it shall be necessary to come out of committee.

(4) If any business referred to the statutory transition committee in committee is not transacted, the statutory transition committee may at a future time resume to complete that business, having resolved itself into committee once more.

### **Minutes of previous statutory transition committee meeting to be confirmed**

13.—(1) The minutes of the committee to be confirmed shall be taken as read, provided that a copy of the minutes shall have been sent to each member of the committee at least forty-eight hours previously. No proposal or discussion shall be allowed upon the minutes except as to their accuracy, and any objection upon that ground must be made by proposal.

(2) Any issues arising from the minutes, other than a matter of accuracy, which require urgent debate shall be taken under Matters Arising.

### **Notices of proposal**

14.—(1) All Notices of Proposal shall be given in writing to the duly appointed officer not later than seven clear days before the committee meeting. Such proposals shall distinctly state the nature or substance of the matter intended to be submitted to the committee.

(2) Every Notice of Proposal shall be relevant to some matter in relation to which the statutory transition committee has powers or duties.

(3) Notices of Proposal shall be entered in their proper place upon the Summons Paper by the duly appointed officer in the order in which they were received. A maximum of 2 notices shall be added to the Summons Paper at any one time.

(4) The chairperson may exclude from the statutory transition committee Summons any Notice of Proposal which relates to a matter outside the remit of the committee. The chairperson may also authorise such clerical corrections that are required to bring a Notice of Proposal into due form.



(5) A member shall not have more than 2 proposals on the Summons Paper at the same time.

#### Right of speaking by movers and seconders of proposals and amendments

15. The mover and seconder of, and any member who has spoken to, an original proposal shall have the right to speak on any amendment to the proposal; and the mover of every original proposal, but not of any amendment, shall have the right to reply, in which reply they shall not introduce any new matter, but shall confine themselves strictly to answering previous observations. The right of reply shall not extend to the mover of an amendment which, having been carried, has become a substantive proposal.

#### Duration of speeches

16. In submitting a proposal, the mover shall not speak for more than ten minutes, except with the permission of the committee, and in replying for not more than five minutes. Other speakers shall each be allowed five minutes.

#### Points of order

17. A member, whether or not they have previously spoken to the proposal or amendment under debate, may call the attention of the chairperson to a point of order which shall be immediately ruled upon. Such points of order must be strictly confined to questions relating to the rules of debate.

#### Amendments

18.—(1) When a proposal is under debate at any meeting of the statutory transition committee, an amendment or further proposal shall not be received, except as in sub-paragraphs (2) to (6).

(2) The amendment must be relevant and within the scope of the notice convening the meeting. The amendment must not negate the proposal or be inconsistent with anything already agreed upon at the same meeting. An amendment must relate solely to the proposal which it purports to amend, and not be in effect a new proposition on a different matter, and must not lay a greater burden on the meeting than the original proposal. When an amendment upon an original proposal has been moved, the question to be put shall be “That the amendment be made”. Where any amendment is agreed, the question to be put shall be “That the proposal, as amended, be agreed”. Where any amendment is rejected, the question of the substantive proposal shall be put.

(3) Any member of the statutory transition committee who has not already spoken to any proposal or amendment then under debate may move “that the committee do now adjourn”. Such a proposal must be seconded, but it need not be reduced to writing. The mover and seconder shall not speak beyond formally moving and seconding the proposal, which shall be put to the vote without debate.

(a) In the event of the proposal for the adjournment being carried, the chairperson shall (unless stated in the proposal) fix the date for the adjourned meeting for the continuation of the debate on the proposal or amendment under discussion at the time of the adjournment, and for the transaction of the remaining business (if any) on the agenda for the meeting so adjourned.

(b) A second proposal “that the committee do now adjourn” shall not be made within 30 minutes, unless in the opinion of the chairperson the circumstances are materially altered.

(4) Any member of the statutory transition committee who has not already spoken to any proposal or amendment then under debate may move “that the debate be adjourned”. Such a proposal must be seconded, but it need not be reduced to writing. The mover and seconder shall not speak beyond formally moving and seconding it.

(a) Before putting to the meeting a proposal “that the debate be adjourned”, the chairperson shall call on the mover of the proposal or amendment under discussion to reply on

the question of adjournment and, after such reply, which will not prejudice the right of the mover of a proposal to reply on the original question, shall put the proposal for adjournment of the debate to the vote without further debate.

- (b) If the proposal be carried, the committee shall proceed to the next business on the agenda, and the discussion of the adjourned debate shall be resumed at the next meeting of the statutory transition committee unless a special meeting of the committee shall be called for the purpose.
- (c) On resuming an adjourned debate, the member who moved its adjournment shall be entitled to speak first. A second proposal “that the debate be adjourned” shall not be made within half-an-hour. A member shall not move or second more than one proposal for the adjournment of the same debate.

(5) Any member who has not already spoken to any proposal or amendment then under debate may move “that the question be now put”. Such a proposal must be seconded, but it need not be reduced to writing. The mover and seconder shall not speak beyond formally moving and seconding it.

- (a) If the chairperson is of the opinion that the subject before the committee has been sufficiently discussed, they shall put the proposal “that the question be now put” to the vote without debate and if same is carried the proposal or amendment under discussion shall be put to the committee.
- (b) A second proposal “that the question be now put” shall not be made on the discussion of the same question within half-an-hour.
- (c) A member shall not move or second more than one proposal “that the question be now put” on the discussion of the same question.

(6) Any member of the statutory transition committee who has not already spoken to any proposal or amendment then under debate may move, “that the committee do proceed to the next business”. Such a proposal must be seconded, but it need not be reduced to writing. The mover and seconder shall not speak beyond formally moving and seconding the proposal which shall be put to the vote without debate.

- (a) When a proposal is carried “that the committee do proceed to the next business”, the question under discussion shall be considered as dropped.
- (b) A second proposal “that the committee do proceed to the next business” shall not be made on the same question within 30 minutes
- (c) A member shall not move or second more than one proposal “that the committee do proceed to the next business” on the discussion of the same question.

### **Proposals and amendments to be reduced to writing and seconded**

**19.** All original proposals and all amendments to a proposal shall, where appropriate, be reduced to writing by the mover and signed by them, read to the meeting, and handed to the chairperson, and approved by them as ‘in order’ before being spoken to by such proposer, and a proposal or amendment shall not be discussed by anyone other than the mover, put to the committee or entered upon the minutes until the same shall have been seconded.

### **Reserving speech**

**20.** A member of the committee may formally second an original proposal or an amendment to a proposal, reserving their speech for a later period of the debate.

### **Members to confine remarks to question**

**21.** A member who speaks shall direct their speech strictly to the proposal or amendment under discussion or to a point of order.

### **Members to speak once only**

**22.** Subject as hereinbefore mentioned a member shall not address the statutory transition committee more than once on the same proposal or amendment.

### **Voting and divisions**

**23.—(1)** Voting at meetings of the statutory transition committee shall be conducted by show of hands of those members present and voting, except as otherwise resolved by it. The committee may make provision for recorded votes. All voting shall be made by a show of hands of the members voting. Members may request a recorded vote and deal with it accordingly.

(2) On the request of any member for a recorded vote the record shall show whether each member present and voting gave their vote for or against that question or abstained.

(3) During the taking of the votes members shall remain seated.

(4) In the case of an equality of votes on a question the person presiding at the meeting shall have a second or ‘casting’ vote, subject to regulation 18 (Appointment of staff to a new council).

(5) A matter which falls as a result of an equality of votes for and against may be included for discussion at a future meeting of the committee.

### **Mode of address**

**24.—(1)** Members of the statutory transition committee shall be seated and shall address and speak of one another in the committee by their respective title of “Chair”, “Vice-Chair”, “Alderman” or “Councillor”. When a member has any proposal or observation to make, they shall address the chairperson, and they shall not be interrupted except as provided for in these Standing Orders.

(2) The chairperson shall determine the order of speaking by the members. When the chairperson rises, a member shall not continue speaking, nor shall any other member speak until the chair be resumed.

### **Offensive expression**

**25.** A member shall not impute motives or use offensive expression in reference to any member of the statutory transition committee.

### **Disorderly conduct**

**26.—(1)** If at a meeting any member of the committee, in the opinion of the person presiding notified to the committee:

(a) persistently and wilfully obstructs the business of the committee;

(b) is guilty of disorderly conduct;

(c) persistently or wilfully refuses to conform with Standing Orders; or

(d) persistently or wilfully disregards the authority of the chairperson,

the chairperson or any other member may move “That the member named be not further heard”, and the proposal if seconded shall be put and determined without discussion.

(2) If the member named continues their misconduct after a proposal under sub-paragraph (1) has been carried:

- (a) the chairperson or any other member may move “That the member named do leave the meeting” (in which case the proposal shall be put and determined without seconding or discussion);
- (b) the chairperson may adjourn the meeting of the committee for such period as they consider expedient.

(3) When the chairperson is of the opinion that the due and orderly dispatch of business is impossible, they may, without question put, adjourn the meeting of the committee for such period as they consider expedient.

### **Ruling of the chair**

27. The ruling of the chairperson upon all questions of order, and of matters arising in debate, shall be final, and shall not be open to discussion.

## SCHEDULE 2

Regulation 22

### Provisions of 1972 Act applied to statutory transition committees

<i>Section</i>	<i>General subject matter of provision</i>
40	The Staff Commission
41	Appointment and qualification of officers
42	Councillors not to be appointed as officers
45	Insurance against default of officers
115A	Prohibition of political publicity
116	Appearance in legal proceedings
117	Evidence of resolutions, etc.
119	Inspection of documents
121	Information, reports and returns
127	Inquiries and investigations
129	Default of council

## SCHEDULE 3

Regulation 23

### Provisions of the 2011 Act applied to statutory transition committees

<i>Section</i>	<i>General subject matter of provision</i>
1	Duty to make arrangements
8	The general fund
9	Power to establish other funds

<i>Section</i>	<i>General subject matter of provision</i>
10	Limitation on application of funds
17	“Credit arrangements”
18	Control of credit arrangements
19	Capital expenditure
20	“Capital receipt”
21	Non-money receipts
22	Use of capital receipts
25	Guidance
29	Other grants to councils
30	Payments due by councils to departments, etc

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These regulations are made under sections 15 to 17 and 24 of the Local Government (Miscellaneous Provision) Act (Northern Ireland) 2010 (the 2010 Act). They make provision for the establishment of, and functions of, statutory transition committees of new councils.

Regulations 2 to 9 provide for the establishment and membership of statutory transition committees for each new council. Regulation 5 provides for the membership of a committee to consist of not more than 16 members with the exception of the committee for the new council of Causeway Coast and Glens and Belfast, which shall have no more than 20 and 25 members respectively. This regulation also provides for two councillors of Castlereagh Borough Council and two councillors of Lisburn City Council to be members of the committee for the new council of Belfast.

Regulation 10 sets out the procedure of statutory transition committees and provides for the election of a chairperson and vice-chairperson.

Regulations 11-14 provide for an existing council to make a payment to a member of its council who is also a statutory transition committee member, by way of an allowance for, or in relation to anything done in connection with, their service on that committee. The regulation 12 provides that any amount paid to a committee member shall not exceed £2,700 per annum and shall be the same paid by that existing council to each of its members.

Regulation 15 provides for predecessor councils to provide premises and facilities to statutory transition committees and provides for the costs of a committee to be paid by its predecessor councils proportionately based on the number of councillors from the predecessor council.

Regulations 16-18 confer functions on statutory transition committees, which provide for the—

- gathering of information;
- preparation of Corporate and Business Plans;
- preparation of Draft budgets;

**Draft Legislation:** This is a draft item of legislation. This draft has since been made as a Northern Ireland Statutory Rule: The Local Government (Statutory Transition Committees) Regulations (Northern Ireland) 2013 No. 179

- arrangement of the first meeting; and
- appointment of a clerk,

for each of the new councils.

Regulations 19 and 20 provide for the cooperation between existing councils and statutory transition committees.

Regulation 21 provides for a statutory transition committee to cease to exist 28 calendar days after the date of the next local government election.

Regulations 22 and 23 apply certain provisions of local government legislation to statutory transition committees.