

<b>Title of Report:</b>	<b>Correspondence</b>
<b>Committee Report Submitted To:</b>	<b>Council Meeting</b>
<b>Date of Meeting:</b>	<b>9 January 2024</b>
<b>For Decision or For Information</b>	<b>FOR DECISION</b>
<b>To be discussed In Committee</b>	<b>No</b>

<b>Linkage to Council Strategy (2021-25)</b>	
Strategic Theme	Cohesive Leadership
Outcome	Council operates as one effective and efficient corporate unit with a common purpose and culture
Lead Officer	Director of Corporate Services

<b>Budgetary Considerations</b>	
Cost of Proposal	N/A
Included in Current Year Estimates	<b>YES/NO</b>
Capital/Revenue	N/A
Code	N/A
Staffing Costs	N/A

<b>Legal Considerations</b>	
Input of Legal Services Required	<b>YES/NO</b>
Legal Opinion Obtained	<b>YES/NO</b>

<b>Screening Requirements</b>	Required for new or revised Policies, Plans, Strategies or Service Delivery Proposals.		
Section 75 Screening	Screening Completed:	Yes/No	Date:
	EQIA Required and Completed:	Yes/No	Date:
Rural Needs Assessment (RNA)	Screening Completed	Yes/No	Date:
	RNA Required and Completed:	Yes/No	Date:
Data Protection Impact Assessment (DPIA)	Screening Completed:	Yes/No	Date:
	DPIA Required and Completed:	Yes/No	Date:

## **1.0 Purpose of Report**

1.1 The purpose of the report is to present correspondence for Members' consideration.

2.0 The following correspondence has been received:

### **2.1 Jeff Hare, Local Government and Housing Regulation Division, Department for Communities, 20 July 2023 (copy attached)**

#### **Local Government Act (Northern Ireland) 2014:**

- **Schedule 1 - Positions of Responsibility**
- **Schedule 2 - Appointment of Councillors To Committee Places**

#### **Extract**

*The Local Government Act (Northern Ireland) 2014 (the 2014 Act) provides for the mechanisms to be used when calculating the number of positions each party is entitled to hold within a council's governance structures and when appointing councillors to positions within these structures.*

*Section 6 of the 2014 Act provides for positions of responsibility with further clarity available from Schedule 1 whilst section 13 of the 2014 Act provides for the appointment of councillors to committee places, again, with further clarity available from Schedule 2.*

*Previous engagement with councils has indicated there were some difficulties with the practical application of certain parts of both Schedules. Consequently, the Local Government and Housing Regulation Division is seeking to identify these issues with a view to developing potential solutions.*

*I would be grateful if you would provide me with details of any concerns that have arisen in respect of the current processes as set out in Schedules 1 and 2 to the 2014 Act.*

### **2.2 Andrew McIntyre, Local Government and Housing Regulation Division, Department for Communities, 31 October 2023 (copy attached)**

#### **The Local Government (Standing Orders) Regulations (Northern Ireland)**

*You will be aware the Department previously tried in 2015 and 2016 to bring forward Local Government (Standing Orders) Regulations (NI) and that both sets of draft regulations were negated by the Assembly.*

*The Department is considering what, if any, mandatory Standing Orders should be included in future legislation and the purpose of this letter is to seek the views of councils.*

*The previous draft Regulations contained provisions on:*

- *decisions to be taken by a qualified majority;*
- *the call-in process;*

- positions of responsibility; and
- appointments of councillors to committees.

A link to the 2016 draft Regulations is provided below:

[The Local Government \(Standing Orders\) Regulations \(Northern Ireland\) 2016 \(legislation.gov.uk\)](https://legislation.gov.uk)

The Department has already written to councils on 20 July 2023 regarding the allocation of committee places and positions of responsibility, asking to identify any concerns with the current process. The Department will consider those replies to assess what legislation or guidance may help clarify or add to the process.

The Department is, in particular, seeking information related to the operation of the 'call-in' procedure, which provides a mechanism by which councils may reconsider decisions already taken. To further understand how this process is working in councils I would be grateful if councils could identify and provide details of:

- any issues with the current 'call-in' process;
- how many decisions have been called-in since 1 April 2015;
- what type of decisions were called-in;
- on what grounds were they called-in; and
- what the outcome was – decision upheld or overturned.

See attached proforma to be completed and returned. The Department would ask that Councils provide this information by 1 December 2023.

The Department has also received correspondence from a number of councils following the judgment in the Hartlands Judicial Review case. Please note, it will require primary legislation to exclude quasi-judicial decisions, such as planning decisions, from the call-in process and the Department is liaising with the Department for Infrastructure on this matter.

The Department would welcome the views of councils on any additional areas which they consider may benefit from being included in Standing Orders Regulations.

### **2.3 Andrew McIntyre, Local Government and Housing Regulation Division, Department for Communities, 8 December 2023 (copy attached)**

#### **The Local Government (Standing Orders) Regulations (Northern Ireland)**

##### **Extract**

The Department wrote to councils on 31 October 2023, seeking the views of councils, on what mandatory Standing Orders should be included in future legislation. The Department was also seeking information relating to the operation of the 'call-in' procedure and had requested that this information was provided to the Department on a proforma and returned by 1 December 2023. (copy attached)

The Department has not yet received all the replies to this request and would like to grant an extension until 12 January 2024 for all information, or additional information, to be provided.

The Department would also like to take this opportunity to remind councils of the previous request on 20 July 2023, regarding the allocation of committee places and positions of responsibility, asking councils to identify any concerns with the current process. The Department will consider those replies to assess what legislation or guidance may help clarify or add to the process. (copy also attached)

**2.4 Brian Nelson, National Secretary, National Association of Councillors email correspondence dated 1 December 2023 (copy attached)**

At the AGM of the NAC held on Saturday 25<sup>th</sup> November the enclosed dates were approved for meetings, NAC Conferences 2024 and NAC Meetings 2024.

**2.5 Marie Ward, Chief Executive, Newry Mourne and Down District Council, dated 13 December 2023 (copy attached)**

**Re: Notice of Motion – Cystic Fibrosis Medication**

At a Meeting of Newry, Mourne and Down District Council held on 4 December 2023 the following Notice of Motion was unanimously agreed:

***"That Council notes with extreme concern proposals by NICE to remove its NHS recommendations for Kaftiro, Orkambi and Symkevi due to rising costs; calls upon NICE to reconsider this proposal without hesitation to make such medication available to all in need; and will write to the Department of Health to request an assessment of the efficacy of this drug to help save lives since its introduction in January), 2022; and to consider amending the minimum age for recipients of this medication to 2 so as to ensure that all those who suffer from cystic fibrosis have the best start in life."***

***It was also agreed that Council would write to the other 10 Councils in Northern Ireland and the Prime Minister highlighting Council's opposition to the removal of these drugs and to reverse the decision".***

***The proposer of the motion asked that the motion be circulated to the other 10 Council Chief Executives asking them to table at a future meeting of their Council.***

Council is asked to give this matter serious consideration and respond to Newry, Mourne and Down District Council.

**3.0 Recommendation**

**It is recommended** that Council consider the correspondence.



**Local Government and Housing  
Regulation Division**

Level 4  
Causeway Exchange  
1-7 Bedford Street  
Belfast  
BT2 7EG

Phone: (028) 90 909385  
Email: [jeff.hare@communities-ni.gov.uk](mailto:jeff.hare@communities-ni.gov.uk)

Our ref:  
Date: 20 July 2023

Chief Executive of each District Council

Via email.

Dear Chief Executive,

**LOCAL GOVERNMENT ACT (NORTHERN IRELAND) 2014:**

- **SCHEDULE 1 - POSITIONS OF RESPONSIBILITY**
- **SCHEDULE 2 - APPOINTMENT OF COUNCILLORS TO COMMITTEE PLACES**

The Local Government Act (Northern Ireland) 2014 (the 2014 Act) provides for the mechanisms to be used when calculating the number of positions each party is entitled to hold within a council's governance structures and when appointing councillors to positions within these structures.

[Section 6](#) of the 2014 Act provides for positions of responsibility with further clarity available from [Schedule 1](#) whilst [section 13](#) of the 2014 Act provides for the appointment of councillors to committee places, again, with further clarity available from [Schedule 2](#).

Previous engagement with councils has indicated there were some difficulties with the practical application of certain parts of both Schedules. Consequently, the Local Government and Housing Regulation Division is seeking to identify these issues with a view to developing potential solutions.

I would be grateful if you would provide me with details of any concerns that have arisen in respect of the current processes as set out in Schedules 1 and 2 to the 2014 Act.



Department for  
**Communities**  
[www.communities-ni.gov.uk](http://www.communities-ni.gov.uk)

An Roinn  
**Pobal**

Department for  
**Commonities**

Should you have any immediate concerns or issues, feel free to contact me via email and I will try and address your queries as soon as is possible.

Yours faithfully,

**Jeff Hare**  
Local Government and Housing Regulation Division



**Local Government and Housing  
Regulation Division**

Level 4  
Causeway Exchange  
1-7 Bedford Street  
Belfast  
BT2 7EG

Phone: (028) 90 909385  
Email: [andrew.mcintyre@communities-ni.gov.uk](mailto:andrew.mcintyre@communities-ni.gov.uk)

Our ref:  
Date: 31 October 2023

Chief Executive of each District Council

Via email.

Dear Chief Executive,

**THE LOCAL GOVERNMENT (STANDING ORDERS) REGULATIONS (NORTHERN IRELAND)**

You will be aware the Department previously tried in 2015 and 2016 to bring forward Local Government (Standing Orders) Regulations (NI) and that both sets of draft regulations were negated by the Assembly.

The Department is considering what, if any, mandatory Standing Orders should be included in future legislation and the purpose of this letter is to seek the views of councils.

The previous draft Regulations contained provisions on:

- decisions to be taken by a qualified majority;
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The Department would welcome the views of councils on any additional areas which they consider may benefit from being included in Standing Orders Regulations.

Yours faithfully,

**Andrew McIntyre**  
Local Government and Housing Regulation Division



Name of Council: \_\_\_\_\_

## Proforma

Item	Decision called-in (brief description)	Application number (If planning decision)	Date of decision	Reason for call-in (section 41(a) or (b), or both)	Date and opinion of solicitor	Date decision reconsidered	Decision upheld or overturned
1							
2							
3							
4							
5							
6							

Name of Council: \_\_\_\_\_

Item	Decision called-in (brief description)	Application number (If planning decision)	Date of decision	Reason for call-in (section 41(a) or (b), or both)	Date and opinion of solicitor	Date decision reconsidered	Decision upheld or overturned
7							
8							
9							
10							
11							
12							
13							

Name of Council: \_\_\_\_\_

Item	Decision called-in (brief description)	Application number (If planning decision)	Date of decision	Reason for call-in (section 41(a) or (b), or both)	Date and opinion of solicitor	Date decision reconsidered	Decision upheld or overturned
14							
15							
16							
17							
18							
19							
20							



**Local Government and Housing  
Regulation Division**

Level 4  
Causeway Exchange  
1-7 Bedford Street  
Belfast  
BT2 7EG

Phone: (028) 90 909385  
Email: [andrew.mcintyre@communities-ni.gov.uk](mailto:andrew.mcintyre@communities-ni.gov.uk)

Our ref:  
Date: 8 December 2023

Chief Executive of each District Council  
Chief Executive of NILGA

Via email.

Dear Chief Executive,

**THE LOCAL GOVERNMENT (STANDING ORDERS) REGULATIONS (NORTHERN IRELAND)**

The Department wrote to councils on 31 October 2023, seeking the views of councils, on what mandatory Standing Orders should be included in future legislation. The Department was also seeking information relating to the operation of the 'call-in' procedure and had requested that this information was provided to the Department on a proforma and returned by 1 December 2023. (copy attached)

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Department for  
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www.communities-ni.gov.uk

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Department for  
**Commonities**

Replies for both requests can be e-mailed to [Andrew.mcintyre@communities-ni.gov.uk](mailto:Andrew.mcintyre@communities-ni.gov.uk).

Should you have any immediate concerns or issues, feel free to contact me via email and I will try and address your queries as soon as is possible.

Yours faithfully,

**Andrew McIntyre**  
Local Government and Housing Regulation Division

NAC Meetings 2023/24

<b>DATE</b>	<b>TIME</b>	<b>VENUE</b>	<b>WHO</b>
25/11/2023	9.45am	Station Hotel, Carlisle	NAC DELEGATES
22/01/2024	10-30am	Station Hotel, Carlisle	General Management Committee
12/02/2024	10-30am	Station Hotel, Carlisle	National Executive Committee
13/05/2024	10-30am	Station Hotel, Carlisle	General Management Committee
17/06/2024	10-30am	Station Hotel, Carlisle	National Executive Committee
09/09/2024	10-30am	Station Hotel, Carlisle	General Management Committee
14/10/2024	10-30am	Station Hotel, Carlisle	National Executive Committee
25/11/2024	9-45am	SCOTLAND TBC	NAC DELEGATES
These dates to be confirmed at the 2023 AGM			

		<b>NAC CONFERENCES 2023 24</b>	
DATE	SUBJECT	LOCATION	HOTEL
24th-26th NOVEMBER 2023	The Financial Future for Local Government	CARLISLE	STATION HOTEL
12-14TH JANUARY 2024	Environment / Heat Recovery & Waste	SOUTH SHEILDS	LITTLE HAVEN HOTEL
23-25TH FEBRUARY 2024	Social Housing & Welfare Rights	Wolverhampton	????
12TH-14TH APRIL 2024		SCARBOROUGH	ROYAL HOTEL
28TH-30TH JUNE 2024	Summer Conference	SOUTHPORT	WATERFRONT HOTEL
27TH-29TH SEPTEMBER 2024	England Region Conference & AGM	EASTWOOD Nr NOTTINGHAM	EASTWOOD HALL
22ND-24TH NOVEMBER 2024	National AGM & Conference	SCOTLAND ?	??????



Our ref: C/250/2023

13 December 2023

Causeway Coast & Glens Borough Council  
Civic Headquarters, Cloonavin  
66 Portstewart Road  
Coleraine  
BT52 1EY  
United Kingdom

Dear Chief Executive

**Re: Notice of Motion – Cystic Fibrosis Medication**

At a Meeting of Newry, Mourne and Down District Council held on 4 December 2023 the following Notice of Motion was unanimously agreed:

***"That Council notes with extreme concern proposals by NICE to remove its NHS recommendations for Kaftiro, Orkambi and Symkevi due to rising costs; calls upon NICE to reconsider this proposal without hesitation to make such medication available to all in need; and will write to the Department of Health to request an assessment of the efficacy of this drug to help save lives since its introduction in January 2022; and to consider amending the minimum age for recipients of this medication to 2 so as to ensure that all those who suffer from cystic fibrosis have the best start in life."***

***It was also agreed that Council would write to the other 10 Councils in Northern Ireland and the Prime Minister highlighting Council's opposition to the removal of these drugs and to reverse the decision".***

The proposer of the motion asked that the motion be circulated to the other 10 Council Chief Executives asking them to table at a future meeting of their Council.

I would ask that you give this matter serious consideration and I look forward to your response.

Yours faithfully

**Marie Ward**  
**Chief Executive**