



Northern Ireland
Assembly

Committee for Regional Development

OFFICIAL REPORT (Hansard)

Off-street Parking (Functions of District
Councils) Bill: DRD Briefing

4 June 2014

NORTHERN IRELAND ASSEMBLY

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Members present for all or part of the proceedings:

Mr Jimmy Spratt (Chairperson)
Mr Seán Lynch (Deputy Chairperson)
Mr Joe Byrne
Mr John Dallat
Mr Alex Easton
Mrs Brenda Hale
Mr Declan McAleer
Mr Kieran McCarthy
Mr David McNarry
Mr Cathal Ó hOisín

Witnesses:

Mr Gerry Anketell	Department for Regional Development
Mr Terry Deehan	Department for Regional Development
Mr Seán McConnell	Department for Regional Development
Mr David Millar	Department for Regional Development

The Chairperson: I welcome Terry Deehan, acting director of corporate services at DRD; David Millar, head of lands and legislation branch; Seán McConnell, acting head of parking enforcement unit; and Gerry Anketell, the Bill team leader. You are all very welcome, and most of you are no stranger to the Committee. Go ahead and make a presentation, and then leave yourselves open to questions.

Mr Terry Deehan (Department for Regional Development): I will not rehash all the introductions. I thank the Committee for the opportunity to brief members on the Bill, and for allowing us to avail ourselves of this opportunity, given the very short notice at which the Bill is being brought to you. I thank the Committee Clerk for arranging it.

I will briefly cover the background on the RPA process and the context of the proposal, which is to issue for consultation a Bill to transfer and share powers in relation to off-street car parking with the 11 new district councils. Gerry Anketell is the acting Bill team leader in the Department; he will explain the legislative background and the process of introducing the primary legislation required. Davy Millar, head of lands and legislation for Transport NI, will describe the assets being transferred and how that will be achieved through the Local Government Act (Northern Ireland) 2014. Finally, Seán McConnell is head of the parking enforcement unit of Transport NI, and he will outline the operational arrangements which we are putting in place, by agreement with the councils, to provide the service post-April 2015. We hope that that will provide an overview of the Bill, and there will be an opportunity for us to answer your questions at the end.

I will not rehearse the history of the RPA from pre-devolution 2005 to April 2013.

The Chairperson: Please do not.

Mr Deehan: I am sure that you will be glad of that. It might be painful enough. I will, however, point out some salient points. The most important of those is that, as part of the previous RPA process, a briefing on a previous Roads (Functions of District Councils) Bill was provided to this Committee in January 2010, and subsequently consulted on. That is the reason why our consultation proposes a relatively short, six-week consultation period. That Bill was subsequently withdrawn, maybe due to the lack of progress on the RPA system itself and the fact that it was impractical to devolve the power to 26 local councils.

The second thing, by way of context, is that the scope of the functions transferring has been reduced. The current proposals, as announced in April 2013, are singularly to transfer off-street parking, excluding park-and-ride and park-and-share facilities, to councils. Finally, as part of the Executive's proposals, the package of proposals to transfer will be reviewed in April 2016, with a view to extending the functions transferring.

So, to summarise the context of the Bill, this is primary legislation required to enact an Executive policy. Gerry will cover the legislative requirements. The content of that policy has been subject to engagement with the RPA delivery structures, which have a political input at their various levels, and with district council officials, normally at chief executive level, in the RPA working groups. Davy will outline some of the proposals for transferring assets. Finally, the operational arrangements will be subject to in-depth arrangements with the shadow councils. Seán will cover that aspect. That will be subject to a service level agreement, probably, with councils, which will cover the detail. As you can imagine, there is a lot of detail in the operational arrangements of car parking.

That is basically the context. I will pass you on to Gerry, who will talk about the legislative aspects.

Mr Gerry Anketell MBE (Department for Regional Development): Thanks, Terry. As Terry has already mentioned, the proposals that are contained in the Bill were the subject of discussions with the transfer of functions working group and the technical subgroup dealing with roads under the general RPA structure. There have certainly been meaningful discussions along the way. Simply put, the Bill seeks to introduce the wishes of the Executive to transfer off-street parking responsibility to the new councils. It has a single clause. It proposes that councils will, in the future, have powers to provide off-street parking places. Councils will become the owners and operators of the off-street parking places, other than park-and-ride and park-and-share places. Councils will operate and maintain those parking places, and they will be responsible for enforcement of parking contraventions within them.

Councils will have powers to employ traffic attendants. They will have powers to deliver parking enforcement services in those off-street parking places. They will have the power to process penalty charge notices; maintain and operate the off-street car parks; and provide new off-street car parks or dispose of existing ones. They will have responsibility for setting tariffs. They will have responsibility for the penalty charge notice income and the car parking income.

From a legislative perspective, what the Bill will do is transfer to the new councils certain powers under the Road Traffic Regulation (Northern Ireland) Order 1997, which presently enables the Department to provide for off-street parking places. It will essentially share with councils certain powers under the Traffic Management (Northern Ireland) Order 2005, which will allow councils to apply the decriminalised parking enforcement system that is already in place through the Department.

Terry mentioned the shorter consultation period. That takes into account the earlier consultation on the draft Roads (Functions of District Councils) Bill in which these proposals were contained. Essentially, we will consult the usual parties, including the existing councils, the shadow councils, the chairpersons of the regional transition committees, section 75 groups and, obviously, the Departments. We hope that we will be in a position to introduce the Bill to the Assembly in September of this year. Members may have noted that the date of operation, to coincide with RPA, is 1 April 2015.

I will pass on to Davy.

Mr David Millar (Department for Regional Development): As regards the mechanism for transferring assets, the Local Government Act (Northern Ireland) 2014 provides for the transfer

schemes to be put in place by any Department, transferring assets and liabilities to the 11 new councils. The transfer schemes are the formal documentation that we will use to transfer off-street car parks to each of the new councils, together with the associated easements and way leaves and any relevant equipment, such as pay-and-display machines, street lighting, et cetera. The transfer scheme is basically a legal document that is signed under seal between the Department and each of the councils. It will list all the car parks that will transfer, together with the types of title and any contracts that are associated with the car parks. DOE will also make similar transfer schemes to transfer assets and liabilities from the outgoing 26 councils to the new 11 councils. The transfer of car parks and associated equipment will be cost-neutral at the point of transfer to the new councils, with DFP responsible for the necessary financial arrangements and implications. Work is almost complete, and it has been a big exercise to gather all the necessary information on some 338 car parks transferring, in order to inform the transfer schemes. Some of the new councils have already received preliminary information on the car parks transferring to them, to allow them to carry out their own internal works and preparations. The information that has been gathered has been reviewed by Deloitte, which was appointed by the transfer of functions working group to carry out a due diligence exercise. The aim is that all the car parks transferring will transfer with effect from 1 April 2015.

Mr Seán McConnell (Department for Regional Development): Just on the factual operation itself, the current situation is that we are working very closely with the transfer of functions working group to help it decide how enforcement and processing will take place, come 1 April 2015. As we see it, there are two options. The councils may decide to carry out enforcement and processing themselves, or they may ask Transport NI to provide that service for them. The second option, we believe, would be best delivered through a service level agreement and at this stage we have drafted a generic service level agreement that will be presented to the transfer of functions working group next Monday as part of a discussion paper. Depending on how that is received, we will move forward, but no decisions have yet been taken by the shadow councils as to whether they will do the enforcement themselves or — *[Inaudible.]*

The Chairperson: Why should they not do it? They already carry out enforcement.

Mr McConnell: The difficulty is that there is quite a complex IT system behind the legislation, for which they would probably have to go through procurement at present. We have all that in place, and we could possibly offer them something a lot cheaper than the cost of them going into 11 procurement exercises.

The Chairperson: Is there a bit of job protection going on?

Mr McConnell: Absolutely not.

The Chairperson: How can you assure me of that?

Mr McConnell: We have discussed it with the transfer of functions working group and given it the full detail of the processing of enforcement and penalty charge notices. Before the shadow chief executives designate came on board, the transfer of functions working group was of the opinion that DRD doing it represented the best value for money.

The Chairperson: The best value for money for the ratepayer?

Mr McConnell: Yes, for the ratepayer.

The Chairperson: It will be interesting to see. I have just asked that question — *[Inaudible.]* Is that the end of the presentation? Thank you very much. I have one or two issues. First, will the Committee have the opportunity to assess the consultation responses before the introduction of the Bill in September, given that we have the summer recess coming up?

Mr Anketell: We will be more than happy to provide the Clerk with the responses that we receive. We took a similar approach with the Road Races (Amendment) Bill, and it seemed to work very well.

The Chairperson: It worked very well. So, could we have those responses as they come in, so that the Clerk's office can have a look at them and, if there are any issues, they can be highlighted? You are right; the process for the Road Races (Amendment) Bill worked excellently in relation to that.

Mr Anketell: I suspect that we may not have just quite as many responses on this. *[Laughter.]*

The Chairperson: We have been given assurances that land transferred from central government will remain in public ownership. What safeguards are there for that, so that a local authority or district council cannot auction off a prime piece of land? Sometimes, in town and city centres, these car parks are prime pieces of land which it would be very advantageous to sell off. Where are the safeguards built in to make sure that the public purse is protected?

Mr Millar: The car parks are being transferred to the councils. They will be in the ownership of the councils; it is their sole responsibility to manage them and deal with them as best they can.

The Chairperson: So, they could sell them off?

Mr Millar: They could, but, in saying that, DSD has identified a number of off-street car parks situated in town centres as being key to the regeneration of town centres. A number of councils are already looking at the car parks in relation to regeneration proposals for their town centres. As part of that regeneration, if you are putting in a new facility, you have to provide alternative car-parking facilities. Providing an alternative or the same level of car parking will be taken into account as the planning application comes forward for the regeneration proposals. They are deemed key by DSD and local councils to the regeneration proposals of the various towns.

The Chairperson: So, all the public liabilities, all the maintenance liabilities and everything else around car parks will transfer automatically, and the central government public purse will not have any strain on it because of any of those issues?

Mr Millar: Yes.

Mr Anketell: The Department will remain responsible for any liability claims until 31 March 2015. Anything arising from 1 April onwards will fall to the councils.

The Chairperson: Just let me go back to the enforcement issue. I know that there is a contract running to sometime in 2016 for the red coats. I suspect that there will be a reduced requirement for red coats in the future if the councils employ their own staff. Will that mean that there is a reduced burden on the public purse for on-street parking?

Mr McConnell: We see it as a TUPE issue. The reduced number of red coats will eventually go across to the councils that to enforcement.

The Chairperson: Why should it, if the Department has a commercial contract with a private company? Why would TUPE come into it?

Mr McConnell: The function still remains of car-park enforcement. Provided that the council still requires enforcement and still wants to employ attendants, our advice from DSO is that there is a TUPE requirement —

The Chairperson: So, the private company scores in terms of holding onto its contract? Is that what you are telling me?

Mr McConnell: The contract remains in place until 2016. There will be a reduced number of traffic attendants if the councils decide that they want to go with enforcement on their own. The function of car-park enforcement is continuing, albeit done by someone else. The council would take across the attendants and would be responsible for all terms of employment.

The Chairperson: But after 2016, I assume that district councils' hands are not going to be tied in retaining staff when they could perhaps get a cheaper contract with a local company, maybe in a particular district council area or whatever. We are not tying the hands of the district councils.

Mr McConnell: Not after 2016. After 2016, our contract with NSL is due for review. At that stage, if the councils were going it alone, I would expect that they would come back to NSL as part of the renegotiation, because it is a 10-year contract.

The Chairperson: I assume that the Department is not going to meddle in the affairs of district councils come April 2015.

Mr Deehan: No. The councils will have the option of opting out of enforcement.

The Chairperson: So you are not meddling in who is employed or anything else? Is that what you are telling me?

Mr Deehan: We are not. However, in discussion with councils, we have given them the opportunity and the option. The working groups have recommended that councils take up that option to piggyback on our contract until 2016 to allow councils to put alternative arrangements, should they wish to, in place or continue with that arrangement beyond 2016. It is completely up to councils.

The Chairperson: The contract that is in place is not a cheap one. Red coats are not the flavour of the month in quite a few parts of the Province, including my own Lisburn Road area.

Mr Ó hOisín: Particularly in that area.

The Chairperson: You are assuring us that councils' hands will not be tied by having to employ who the Department might have in the future as the enforcers for on-street parking.

Mr McConnell: How councils carry out enforcement is very much their decision.

The Chairperson: Will that be clear in the Bill, Gerry?

Mr Anketell: The Bill does not mention that. There is absolutely nothing in the Bill that deals with that. The Bill focuses entirely on the transfer of the powers.

The Chairperson: That could be a bit dangerous, could it not?

Mr Anketell: I do not think so.

The Chairperson: We will see.

Mr Lynch: Will each council be able to set its own tariffs? How consistent will that be across the board?

Mr McConnell: Again, that is a decision for the council. The legislation allows the councils to set the tariffs, and there is no requirement on the Department to decide the level of the tariffs, or even to manage or monitor them.

Mr Lynch: So, you could have different levels of tariffs in different council areas.

Mr McConnell: Absolutely.

Mr McNarry: This is great fun. No disrespect to you gentlemen — I have the utmost respect for you — but this looks like some idiot has said, "Let's give these super-councils something to justify their blooming existence". You have picked on this, and it is clear what they have ditched out. The beneficiaries of the revenue from the car parking are the councils. So, the ratepayers will benefit immensely from the amount of money that they are spending in their own car parks. They are the overall beneficiaries. Who sets the pricing policy for the car parks — in other words, what they inherit. Who will set that policy?

Mr McConnell: The councils themselves.

Mr McNarry: They can do it individually; they are not being asked to do it collectively. So is it just a case of, "Go ahead, councils, do whatever you like."

Mr Deehan: They are accountable to their ratepayers.

Mr McNarry: They are accountable to who?

Mr Deehan: Their ratepayers.

Mr McNarry: Aye, every four years, if they are lucky.

This idea that the Chairman mentioned about the transfer of land assets — I heard your answers, but you actually said that the Bill says the proposals will be cost-neutral. How do you figure that out? What is the cost or the value of all the car parks that you are handing over?

Mr Deehan: DFP is taking forward the financial arrangements, but our understanding is that DFP will adjust for those councils. It is not only the revenue that will transfer to the councils; the costs of car park maintenance, etc, will as well.

Mr McNarry: We have dealt with the revenue; now let us stick with the asset. This is cost-neutral. I would like you to explain that, because I cannot understand. There is nowhere that I can see the value of all these car parks — the land. In my own constituency, if the Chairman will indulge me — Kieran's constituency also; I forgot about that — *[Interruption.]* In the beautiful Strangford constituency, what is the value of the assets being handed over in car parks to the new super-council?

Mr Deehan: I do not have a value for each constituency.

Mr McNarry: Does anybody have those figures? Can you get them for us?

Mr Deehan: We can provide them, yes.

Mr McNarry: So they are being handed over for free.

Mr Deehan: It is cost-neutral at the point of transfer, yes.

Mr McNarry: So, it is "cost-neutral" in the language of this Bill. I must look for "cost-neutral" to be exactly the same in future Bills.

Mr Deehan: The Bill does not mention that. We explain it in the explanatory foreword to the Bill. The Bill is really just concerned with the transfer of powers. DFP will make arrangements on the transfer of finances.

Mr McNarry: Forgive me, but it does have to be concerned with the value. The briefing paper that we have says that it is cost-neutral. With all due respect, whoever wrote that should go and rewrite it or give an explanation of "cost-neutral". I would think that we are talking about a considerable amount of money.

Again, I will take up the Chairman's point of view and say that there is nothing in the Bill to stop the council saying, "Hang on here, we are going to sell this bit of land" or whatever. Do you think that it might be appropriate for you to put in a clause that prohibits the council from doing that for the next five or 10 years? Would it be worthwhile saying to ratepayers, "Here is your gift for car parking, which we would like you to hold on to. You will get some money out of it for revenue, which is worth so much money, but there is a provision that says that, for the next five years, you can't flog it". Do you think that it might be worthwhile including that in the Bill?

Mr Millar: I suppose that all that the departmental officials are doing is enacting the Executive's will, which is that councils will be responsible for off-street car parks and whatever they want to do with them.

Mr McNarry: In other words, you are really saying that you are carrying out the Executive's instructions, no matter, in my opinion, how stupid those are. You are carrying them out, no matter what they say, and you are just going to proceed with it. Perhaps Committee members might have an opportunity to look at and correct that bit.

I will just ask about these Darth Vader enforcers who are circulating the place. Will any of them be made redundant as a result of the transfer, or will the situation just be the same? In other words, will the numbers reduce or increase, or will they just be the same because there is a contract?

Mr McConnell: The current situation is that we are in initial discussions with what are now the shadow councils and the chief executive designates. It will depend on what they decide about how enforcement is carried out. If the councils decide that they want to do it themselves, you may have a situation where there is a transfer across to them. If they decide that there is to be zero enforcement in one or more district council areas, you may have a situation where traffic attendant numbers will be reduced. However, until we get into the finer detail with them on exactly what each shadow council wants to do, I really cannot answer that question.

Mr McNarry: It is not likely to be a franchise operation. The people who enforce it obviously get the money for enforcing it. Are they going to pay a percentage to the councils? Is this contract some kind of franchise? Can the councils not operate their own enforcers? That is mainly why I asked about redundancies as a result of these changes.

Mr McConnell: If the councils decide to operate their own enforcement teams, NSL's contract will have to be changed, and there will be reductions and transfers. Our understanding is that, if the councils want to carry out their own enforcement, they will be required to begin a TUPE process.

Mr McNarry: Would you be able to supply information to our very able staff about the revenue collection that these enforcers have brought in from each of the car parks that we are talking about? The reason that I am asking for that is — again, this comes back to cost neutrality — that that is a very valuable business that somebody is running, and good luck to them if they have a contract for it. However, that is now going to ratepayers, so I think that they would like to know how much the fines were in total over the past three years. It is obviously not costing them anything if they are hiring it out.

The Chairperson: Can that information be supplied?

Mr McConnell: We can supply information.

The Chairperson: For each of the 338 car parks?

Mr McConnell: We can supply information on a lot of them, yes.

The Chairperson: We will require that. The Clerk will you write to about that.

Mr McNarry: That is very helpful. Thank you.

Mr Byrne: I welcome the presentation. This is the first issue that has cropped up on the transfer of functions, and it is leading to an interesting discussion. Has any breakdown been done of the revenue income that goes into each of the 338 car parks and what that is likely to be for each new super-council?

The Chairperson: We will get that information.

Mr McConnell: It should be pointed out that not all those car parks are charge car parks; some of them are free. So, the reply will be zero for a lot of them.

The Chairperson: You can tell us which ones are the free car parks and which ones are not. When all the members have had a say, I want to clarify some issues.

Mr Byrne: Has much work been done on the service level agreement that has been hinted at? Has a costing been done on the service level agreement? It may be possible, but with DRD [*Inaudible.*]

Mr McConnell: It is an initial draft at present, and we are going with it as a discussion document. However, you have to remember that, before we even get down that road, there has to be an acknowledgement by the councils that they want us to engage in this operation. We are probably

preparing steps ahead in case they decide to ask us to carry out enforcement for the period up to October 2016.

Mr Byrne: You said earlier that Deloitte does some sort of computation and that some of the accountancy firms had been asked to do something with the costing.

Mr Deehan: Yes, Deloitte prepared a report for the RPA transfer of functions working group. That was a due diligence report that looked at validating the costs and the revenues for the transferring car parks. It was able to stand over the figures that DRD was providing on the car parks and their costs and revenues.

The Chairperson: So, did Deloitte get those figures from the Department?

Mr Deehan: Yes.

The Chairperson: Can we have those figures as well?

Mr Deehan: Yes.

Mr Dallat: I apologise for being out. As you know, we go out occasionally to speak to people from different parts of the world to tell us how wonderful we are here. That is what I was doing.

Some of the councils that are taking over will probably get very nice modern car parks that are automated and all the rest of it. In others, there will be nothing. Where do they begin to create some kind of level car-parking provision across Northern Ireland?

Mr Millar: At the minute, all the car parks are fit for purpose. They have to be fit for purpose to defend properly public liability claims. However, they are all of different standards, given the lining and so on.

Mr Dallat: I am thinking about multi — whatever you call it — and others.

Mr Millar: The council has asked for condition surveys, and our engineers are preparing a report to hand over to the councils to show the condition surveys. They are of different standards but are all fit for purpose. The maintenance in the car parks has not stopped just because we are transferring them over. So, any maintenance plans, works plans, refurbishment plans or relining will take place as normal to keep them up to fit-for-purpose standards, and they will then transfer over.

Mr Dallat: I see that in England the county councils have overall responsibility for the administration of the collection of parking fines. You pay them on the web and all that, and then the local councils presumably make their own choices about whether they should be free or whether there should be charges. Might that happen here?

Mr Millar: Yes.

Mr Dallat: Is it envisaged that we will say, "You are the county council, and you have the computer system"?

Mr Millar: Yes.

Mr McConnell: We have suggested to the councils that we have the service in place whereby people can look at their penalty charge notice online and decide to pay it. Very shortly, we are introducing an opportunity to appeal and challenge online and do all those things. That is all in place. We are suggesting to the shadow councils that, if they want that facility, we can work with them in partnership to deliver it.

Mr Dallat: Is there provision for variations in that? Causeway might have a penalty charge of £25, and in the west they might charge £50. Is that all feasible and possible?

Mr McConnell: Once the councils get the assets transferred, they can charge as they wish. We have the capacity to adapt our systems to allow those charges as you suggest, whether it is £45 or £20 or whatever.

Mr Dallat: The enforcement section, or at least part of it, is at County Hall in Coleraine. How many people are employed there?

Mr McConnell: Eleven people are currently employed in processing.

Mr Dallat: That is one good reason for supporting that, Chairperson.

The Chairperson: I was thinking along the lines of a service level agreement. Would there be an opportunity for the Minister for Regional Development to transfer another 50 posts up to Coleraine to save some of the jobs up there?

Mr Dallat: Other Departments do that.

Mr McConnell: We currently have 25 posts in Omagh that deal with the second side of the process. Those staff deal with challenges and all the appeals, and they manage all the debt collection. The Coleraine offices deal with all our telephone enquiries and with clamping, removal and all the vehicle licensing issues that we have in tracing vehicles. The work is spread across those two areas, plus we have an office in Belfast.

The Chairperson: How many are there? I notice that you are a bit reluctant to tell me how many are there. Are you?

Mr McConnell: There are eight staff in Belfast.

The Chairperson: Eight staff?

Mr McConnell: They manage the enforcement —

The Chairperson: Why would centralisation of that facility not be a possibility?

Mr McConnell: It is historical. Parking enforcement was in place long before the decriminalisation of parking. The two centres that originally managed parking enforcement and the old off-street parking were based in County Hall in Coleraine and County Hall in Omagh. I was based in Omagh at that stage. The historical arrangement for the collection of all the cash and the reconciliation was always in Craigavon, and it remains there. There are three posts in Craigavon. The introduction of the decriminalisation of parking was a headquarters function; they introduced the policy and did all the procurement work in 2005 and 2006 to introduce decriminalised parking (DP). Historically, that was done in Belfast, and it remained there. The people who were involved in the introduction of DP were responsible for the management of the enforcement contract. So, the locations are down to history.

The Chairperson: There is nothing to stop the staff concerned being TUPE'd over to district councils.

Mr McConnell: There is. According to the Departmental Solicitor's Office (DSO), about 55% to 60% of our work is involved with on-street parking. So, because the majority of the work concerns on-street parking, there is no requirement to TUPE across that part of the function. I think that it should also be noted that a lot of the staff in Coleraine and Omagh are at lower Civil Service grades and, as such, it would be difficult to transfer them out of those areas. It is exactly the same situation that you have with DVLA staff in Coleraine.

Mr Dallat: It might be useful to know just how many of those staff are agency staff. I know, for example, that there was no enforcement of taxation over here.

Mr McConnell: We have two staff who are currently employed as agency staff. They are there to cover periods of maternity leave, one of which is due to come to an end in July, while the other ends in, I think, October.

Mr Dallat: Anyway, to support the Chairperson's remarks, I will say that there may be opportunities to create some jobs in Coleraine.

Mr Byrne: I will resist making any comments, John.

The Chairperson: OK. We will not get into that debate, because I can see two people from the same party disagreeing.

Mr Ó hOisín: Thank you. Chair, can I just say that I welcome all jobs coming to Coleraine or elsewhere in the north-west or in the East Derry constituency.

The Chairperson: Do you want to keep them in Omagh?

Mr Ó hOisín: I think that, the last time that I looked, the current differential between revenues expended on enforcement and those lifted was some £13 million. That is a circle being squared. It seems a huge amount, and surely it would require an undue increase in charges to justify it and make that up at a local council level.

Mr Deehan: The DFP arrangements will ensure that it is cost neutral when it transfers to councils, so there will not be a requirement for them to increase charges. However, councils will be in a position to increase, decrease or abolish charges from April 2015.

Mr Ó hOisín: The differential is currently £13 million, I think, so there is obviously a shortfall. Councils will have to address that.

Mr Deehan: I do not know where you get that £13 million figure from, but, currently —

Mr Ó hOisín: I think that the revenue that was raised was £22 million, and the cost was £35 million. Am I right with those figures?

Mr Deehan: I think that, in the last published accounts, the revenue was something along the lines of £17 million, and the total costs were in excess of that. However, those included the capital costs for the asset. Broadly speaking, car parking breaks even.

Mr Ó hOisín: OK. I will check where those figures come from. The other question that I have is technical. I note that, of the 26 councils, one is missing. Is that a typo, or is it a rare oversight on behalf of Limavady Borough Council?

Mr Anketell: Chair, I might have to put my hand up to that. I would be quite happy to have a look at that and, if it has been omitted, ensure that it is included.

Mr Deehan: Apologies to Limavady.

Mr Ó hOisín: The centre of the universe.

The Chairperson: There are just a couple of things. Can we have a copy of the service level agreement that you mentioned, Seán?

Mr McConnell: Yes.

The Chairperson: We can look at exactly what it is, because I think that it is in the interests of the public and the ratepayers of the district councils to know exactly what that service level agreement is.

Mr Deehan: To clarify, Chair, work on that is still in progress. We have to go through all 11 councils to get that agreed, so we are really at the very early stages of that.

The Chairperson: Perhaps we could also have information and papers on the discussions that have taken place with the chief executives of the 11 new district councils. I think that it is important that we see those.

Mr Deehan: I think that all the minutes of the working groups are on the DOE website.

The Chairperson: I am asking you to supply the information for that particular area. That is not up to the Committee staff, so I am asking the Department to supply it.

I wonder what consideration you have given to another issue. You know what has happened with speed cameras across the water. They have basically become tax-revenue machines that district councils have put in all around the place to raise money at a local level, as opposed to the way that it is done here. There are tremendous dangers in the potential for district councils to hike up charges in town centres or city centres in Northern Ireland. Councils and business organisations right around the Province in smaller towns and bigger towns, right through to cities, have been actually trying to get parking charges reduced as much as possible, and the Department has facilitated that to a degree. There is the potential to drive people out of town centres if prices are hiked up. Has that been pointed out to the councils? I assume that it is something that they will have high on their radar, but I think that the Department should point out facilitation for reduced charges not only over the Christmas period but more recently, when, I think, it was five hours for a pound in most of the car parks. That has been facilitated to try to bring much-needed business back into town centres. It is just that I see dangers there. I know that the Department would not be of the making of them, but it is worth pointing out. I assume that that has been done.

Mr Deehan: Councils have probably been in the lead in representations to DRD on reductions in car-parking charges. Councils very much see this through their RPA working groups as an opportunity for them to have that power and to be more accountable for charges. They see that opportunity to work positively for town-centre managements.

Mr McConnell: Off-street car parks recognise that they do not lend themselves to CCTV. As well as that, the Department still has a responsibility for on-street car parking. It would not be our intention going forward to introduce CCTV for parking enforcement.

The Chairperson: Of the existing commercial firms that do the parking enforcement, can you give us the numbers that are involved for off-street car parks as well as the other information that we asked you for, Seán? I know that some of their day is spent on street and some off street, but there must be a matrix to indicate how many hours are spent inside the car parks that are being handed over.

Mr McConnell: That part of the Deloitte work on due diligence means that we have the information to show the number of hours that are spent in each car park, plus the hours that are spent on the street.

The Chairperson: Was the Department involved in financing the Deloitte report as well?

Mr Deehan: Not in financing the report.

Mr McNarry: Just before we conclude on this, let me say that there is a system that all Bills go through that deems them competent. I will just raise an awareness and a caution. I do not think that this Bill meets the criteria, because there seem to be too many loose ends. Is it possible that we could get some kind of expert in? I know that we have a great many experts around this table, but could we get some kind of second opinion, if you like?

If we read Hansard to find out what transpired at this meeting, we will find that there are loads of questions about things that the Bill should be able to deal with. It seems to me that the Assembly could be adopting a Bill to say to councils, "Spend or sell as you like". Once we hand it over from here, it is down to the councils and out of our hands. However, it would be bad practice if we were sending down a bad Bill. I am concerned that we can stand over whatever we send down. I would just like to see whether there was some opinion that we could get.

The Chairperson: The method, I am advised, is that it is a matter for the Speaker and the Attorney General.

Mr McNarry: In realising the competency of the Bill, I accept that. That is how you get to this stage. I have presented Bills myself. In which case, fair play. I will fight it in the House.

The Chairperson: I suggest that, once we have the consultation views and complete our work on the Bill, it will be a matter for us to do what we want to do to the Bill.

Mr McNarry: There is little chance to amend it the way that it is written, that is the difference — unless you keep adding and adding to it.

Mr Anketell: It is maybe a slightly different point, but the departmental solicitors confirmed that the Bill was within the legislative competence of the Assembly, and the Office of the Legislative Counsel also confirmed that.

Mr McNarry: I appreciate the system. As I said, I have been through it myself with Bills. This does not seem to me to be the premise for a good Bill, and I would prefer that the Assembly sent back good legislation. It is a dog's dinner for the councils, with all due respect. It is the things that are not in the Bill that cause me concern, not the things that are in it.

The Chairperson: You make valid points. There are two things to consider. We will be able to do some work and call whomever at the Committee Stage. We are also going to commission our own research on the RPA transfer functions overall, which we will bring back in the not too distant future, David.

Mr McNarry: All right. Thank you, Chairman.

The Chairperson: I thank you, gentlemen. No doubt, this is a matter that we will be coming back to time and again. Thank you in the meantime, and thank you for your presentation.