



**Northern Ireland
Assembly**

**COMMITTEE FOR THE
ENVIRONMENT**

**OFFICIAL REPORT
(Hansard)**

**Local Government (Disqualification)
(Amendment) Bill**

17 June 2010

NORTHERN IRELAND ASSEMBLY

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ENVIRONMENT**

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Members present for all or part of the proceedings:

Mr Cathal Boylan (Chairperson)

Mr Roy Beggs

Mr Jonathan Bell

Mr John Dallat

Mr Ian McCrea

Mr Alastair Ross

The Chairperson (Mr Boylan):

I refer members to the draft Committee report on the Local Government (Disqualification) (Amendment) Bill. Do members have any other comments on the draft report?

Mr Beggs:

Page 5 of the draft report addresses eligibility for election as a councillor. It states that the Committee expressed concerns that the Bill would disqualify existing MLAs from standing for election as councillors. I never expressed any such sentiment. Therefore, perhaps the report should state that “some” members of the Committee, or “the majority” of Committee members, expressed concern.

Page 10, paragraph 1, concerns the timing of implementation, and states:

“In effect this would mean it would be a vacant seat rather than a party seat”.

The word “party” is unnecessary, because there is a process for appointing independent candidates through the co-option system.

Page 10, paragraph 2 states that:

“Members also were concerned that for councils to provide for co-options there must be an annual general meeting”.

That is factually incorrect. We discussed that, for councils to provide for co-option, there should be a mechanism that would not affect the political balance at AGMs. Therefore, I suggest that that wording be amended.

The Committee Clerk:

If amended, it would read that members were also concerned that, for councils to provide for co-options, a mechanism, which would not affect the political balance at AGMs, would be required.

Mr Bell:

I have a couple of points to make. Since the RPA announcement, the perspective has changed, certainly for the next council term. I am very strongly of the view that, if a job is full time, it should be the only job done. Largely, I practise what I preach, and have taken career breaks as necessary. However, in light of the announcement that a councillor will no longer be a full-time position, the perspective has changed. We are now going back towards the part-time councillor role.

Many of our councillors spend quite a lot of their own money and, given that they pay for all their postage, stationery, telephone calls, mobile phone bills, and so on, they resent the fact that their £9,500 allowance is referred to as a “salary”. The allowance is supposed to cover those costs, but that has not been adequately picked up by the media. For whatever reason, that is not

included in the draft report. It should be. There are a number of councillors for whom those facts are not being picked up.

I want to talk about public demand, public perception and public confidence. When Dawn Purvis gave evidence, I raised the issue that a disparity exists. That is the case even in her own party, the current leader of which is a GP. Looking at the British Medical Association's guidelines, I see that GPs are supposed to work 70 to 80 hours a week and are, apparently, unable to cope with the work that they already have. On average, GPs earn £100,000 a year. It is OK for a GP, who allegedly works 70 to 80 hours a week and earns a £100,000 a year, to be a councillor. However, it is not OK for an MLA who earns £43,000 a year to be a councillor. That disparity has to be looked at, and I wish to place that on record. The argument is that public opinion is in favour of MLAs not being councillors. However, public opinion is, apparently, also in favour of hanging. There is a concern being driven forward, and we should reflect that in the report.

If we reach the stage at which we have to look at full-time councils, some members of which would take on full-time executive roles, that would have to be reflected. However, that is now not going to happen, certainly not in the near time frame. Therefore, that makes much of what Dawn Purvis said obsolete.

The Chairperson:

I refer you to page 11 of the draft report.

Mr Beggs:

Could we have clarification of what amendment is being proposed?

Mr Bell:

I have read page 11. However, we are compiling a report on the basis of what the Committee

thought, at that stage, was going to be 11 councils, and we were informed that some of those council posts were going to be full time. That was the perception under which we were working. However, has the situation not changed dramatically now?

The Committee Clerk:

There is, in some ways, a distinction to be made. We are talking about the policy principles behind the Bill. When a Bill is referred to Committee, the Committee goes through the details of the clauses. Although comments such as yours can be captured, to some extent, in the report, the Committee's main purpose is to look at the clauses and decide whether it is happy with the way in which they have been crafted to deliver what was agreed by the Assembly at Second Stage as being the policy. Therefore, the principles of the Bill were agreed at Second Stage. The Committee was then tasked with looking at the detail of the clauses. The Committee went through that process last week and agreed the clauses. The argument that you are now putting forward would be appropriate for Consideration Stage, when the Bill goes back to plenary. You could, at that stage, argue that the situation has changed.

Mr Bell:

I follow that logic. That makes sense.

The Chairperson:

We have to agree a report on what the Committee said at that point in time.

The Committee Clerk:

If the Committee agrees, we could capture those comments in another paragraph to reflect the fact that the situation has changed.

The Chairperson:

Yes.

Mr Dallat:

The Committee Clerk is right. However, I want to make it clear that I am not in favour of hanging, although there are times when I am sorely tested. *[Laughter.]*

Seriously though, certain councils provide mobile phones, postage, Apple computers, and other such perks. We need to be careful. I am not rapping Jonathan in any way. We need to be careful when stating facts.

Mr Bell:

The Local Government Auditor does not cover telephone costs.

The Chairperson:

We will not get bogged down in the detail. Mr Bell, my experience of council was that, if I had to post a letter, for example, I could have got the council to pay for it. However, I did not; I paid for it myself. The very fact that councillors use ratepayers' money means that they would never dare to go back and ask for the cost of a stamp.

Mr Bell:

That has not been my experience.

The Chairperson:

We will not get involved in that debate. There is to be no hanging today; that is for sure.

Mr Ross:

The report basically summarises the discussion that has taken place in the Committee. I agree with Jonathan's sentiments. However, at the end of the day, as far as the report is concerned, we

abstained during votes on a number of issues. I am not sure whether there will be any reference to abstentions in the report.

The Committee Clerk:

Abstentions will be referred to in the body of the report, in the clause-by-clause scrutiny.

Mr Ross:

Apart from that, I have no issue with it.

Mr Beggs:

On the point that matters may have changed following the decision not to go ahead with the 11-council model, we need to be careful about what we say because there is uncertainty as to what will be devolved to the 26 councils. Certain functions could be devolved. There is a degree of uncertainty as to what additional responsibilities councillors will have. That is as much as we can say.

The Chairperson:

From my point of view, we were not involved. However, I know that already. Your party can make that decision.

Mr Beggs:

In line with procedure, I should have declared an interest as a member of Carrickfergus Borough Council.

The Chairperson:

Does anyone else have to declare an interest? John, you do not have to declare any more. I am

out of there too, thank God.

OK, gentlemen. Are you happy for what you have said to be reflected in the report?

Members indicated assent.