

EXPLANATORY MEMORANDUM TO
Local Government (Specified Bodies) Regulations (Northern Ireland) 2012
SR 2012 No. 8

1. Introduction

- 1.1. This Explanatory Memorandum has been prepared by the Department of the Environment (“the Department”) to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.
- 1.2. The Statutory Rule is made under section 28(6) of the Local Government Finance Act (Northern Ireland) 2011 ("the Act") and is subject to the negative resolution procedure.

2. Purpose

- 2.1. The Statutory Rule specifies six bodies which provide services for councils, regarding which the Department may defray expenditure incurred in the provision of those services and make deductions from the de-rating grant and rates support grant paid to councils towards that expenditure.

3. Background

- 3.1. Part 2 of the Act (Grants to councils) updates the provisions for the payment of grants by the Department to councils and replaces the general grant with the de-rating grant and the rates support grant.
- 3.2. Section 28(6) of the Act contains powers enabling the Department to specify, in regulations, bodies which provide services to councils. Section 28(6) also allows the Department to defray expenditure incurred by specified bodies in providing services to councils, and to make deductions from the de-rating grant and the rates support grant towards that expenditure.
- 3.3. The Statutory Rule revokes and replaces the General Grant (Specified Bodies) Regulations (Northern Ireland) 2007 (“the 2007 Regulations”). The six bodies specified in the Statutory Rule for the purpose of section 28(6) of the Act are the same as those specified in the 2007 Regulations.
- 3.4. The Statutory Rule will come into operation on 1st April 2012.

4. Consultation

- 4.1. In accordance with section 44(1) of the Act, consultation on the draft Statutory Rule was conducted between 17th December 2010 and 24th February 2011.
- 4.2. The Department received a total of thirteen responses to the consultation. None of the comments made by consultees necessitated a change in policy, or an amendment to the draft Statutory Rule.

5. Equality Impact

- 5.1. Under the terms of section 75 of the Northern Ireland Act 1998, and prior to consultation, the Department carried out an equality screening exercise

on the draft Statutory Rule. No adverse impacts for any of the nine section 75 categories were identified, and the Statutory Rule does not present an opportunity to promote equality of opportunity or good relations. A full Equality Impact Assessment was therefore not required.

6. Regulatory Impact

- 6.1. A Regulatory Impact Assessment is not necessary, as the Statutory Rule has no impact on the costs of businesses, charities, social economy enterprises or the voluntary sector, and no significant financial impact on any public bodies.

7. Financial Implications

- 7.1. The Statutory Rule has no significant financial implications.

8. Section 24 of the Northern Ireland Act 1998

- 8.1. The Statutory Rule is considered compatible with section 24 of the Northern Ireland Act 1998.

9. EU Implications

- 9.1. Not applicable.

10. Parity or Replicatory Measure

- 10.1. The principle of defraying expenditure incurred by specified bodies in providing services to local government is observed in England, under provision of the Revenue Support Grant (Specified Body) (England) Regulations 2010, and in Wales, under provision of the Revenue Support Grant (Specified Bodies) (Wales) Regulations 2000, as amended in 2003 and 2006.
- 10.2. In England and Wales, a specified body is entitled to receive a revenue support grant on its own behalf, which differs from the approach taken in Northern Ireland of defraying expenditure and making deductions from grants payable to councils.
- 10.3. The number and nature of specified bodies is different for England and Wales, depending on the services provided to local authorities in each jurisdiction.
- 10.4. Three of the bodies specified in the Statutory Rule – the Employers' Organisation for Local Government, the Local Authorities' Co-ordinators of Regulatory Services and the Local Government International Bureau – are also specified bodies in Wales.
- 10.5. There is no equivalent provision in Scotland.

11. Additional Information

- 11.1. Not applicable.