

A REPORT ON DECISIONS TAKEN DURING NOVEMBER 2019 BY NORTHERN IRELAND DEPARTMENTS IN ACCORDANCE WITH THE GUIDANCE ISSUED BY THE SECRETARY OF STATE FOR NORTHERN IRELAND UNDER THE PROVISIONS OF THE NORTHERN IRELAND (EXECUTIVE FORMATION AND EXERCISE OF FUNCTIONS) ACT 2018

On 5 November 2018 the Secretary of State for Northern Ireland, in accordance with section 3(2) of the Northern Ireland (Executive Formation and Exercise of Functions) Act 2018, published guidance about the exercise of the functions of Northern Ireland departments during the period for Executive Formation. This guidance requires Northern Ireland departments to prepare a monthly summary report of decisions taken by senior officials using the guidance and to share this with the Secretary of State, who will in turn make it available to Parliament and to the Northern Ireland political parties.

This Summary Report has been prepared by the Executive Office and provides information on the decisions taken by Northern Ireland departments in November 2019.

Decisions Taken by Northern Ireland Departments: November 2019

Department	Description
-------------------	--------------------

The Executive Office	A decision was taken to reappoint two Board Members of the Victims and Survivors Service for a second 4 year period until December 2023.
-----------------------------	--

A decision was taken to extend the current Victims and Survivors Strategy for a period of 2 years, with the option to review or extend it for a further short period, if necessary, to finalise a new strategy.

Department	A decision was taken to launch a competition to appoint a Deputy Chair to the Agri-food and Biosciences Institute.
-------------------	--

**of Agriculture,
Environment
and Rural
Affairs**

A decision was taken to agree the principles and criteria for a DAERA protocol to prioritise the anticipated increase in demand from industry to process and approve Export Health Certificates in a No Deal Brexit scenario, and to agree an operational policy for industry stakeholders.

A decision was taken to ask Defra to write to the European Commission on behalf of DAERA to request that, in the event that the UK exits the EU with no deal, Defra act as the EU competent authority for marketing standards for exports of UK-produced wine.

A decision was taken to support Defra's proposed UK wide approach to the pragmatic, risk-based, enforcement of ISO codes required under Article 30(2) of retained EU regulation 589/2008 for class B or ungraded eggs imported from the EU.

A decision was taken to participate in Defra's "Consultation on Mandatory Reporting of Food Waste and surplus by Food Businesses".

A decision was taken that the chemical provisions for Northern Ireland relating to REACH (Registration, Evaluation, Authorisation and Restriction of Chemicals) and included in the draft UK Environment Bill, should come into operation in line with the rest of the UK, and not be subject to separate commencement provisions and affirmative procedure.

A decision was taken to designate Defra as the UK competent authority for co-ordinating cooperation with the EU in relation to those animal (including fish) health and welfare, plant health, organics and pesticide elements of Regulation (EU) 2017/625

on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products; and that the Food Standards Agency should be the competent authority in so far as it relates to food and feed related matters.

Department for Communities The following decisions were taken in relation to public appointments:

- The appointment of a new member of the Historic Monuments Council for a five year term from 1 December 2019 to 29 February 2024;
- An extension to the appointments of the Chair and six members of the Historic Buildings Council for a period of up to three months from 1 January 2020 to 31 March 2020; and
- An extension to the appointments of the deputy Chair and two members of the Arts Council for a period of four months from 1 December 2019 to 31 March 2020.

Decisions were taken to make: the Occupational Pensions (Revaluation) Order (Northern Ireland) 2019; the State Pension Revaluation for Transitional Pensions Order (Northern Ireland) 2019; and the State Pension Debits and Credits (Revaluation) Order (Northern Ireland) 2019, to ensure maintenance of single systems of pensions across GB and NI as provided for in section 87 of the Northern Ireland Act 1998.

A decision was taken to activate a Scheme of Emergency Financial Assistance to support households which had suffered from flooding.

Decisions were taken to enable Newry, Mourne and Down District Council to dispose of property at Rosconnor Pavilion and Playing Fields, Strangford Playing Fields and Greenbank Industrial Estate by way of leases ensuring the maintenance of sustainable and efficient public services.

Department of Education Two decisions were taken on published Development Proposals seeking changes to the design of education provision. The decisions were: the closure of Tir na nOg Primary School, a small, unsustainable, rural, primary school in Ballyclare, Co Antrim; and a decrease to the approved enrolment number at Chapel Road Primary School in Londonderry.

A decision was taken to extend for a further 12 months the terms of appointment of four members of the Council for Catholic Maintained Schools and nine members of its Diocesan Education Committees.

Department of Finance A decision was taken to provide finance approval for a 2019 Northern Ireland Prison Service pay award, allowing payment of the award to operational prison staff in Northern Ireland, with an effective date of 1 April 2019.

Decisions were taken to agree in-year public expenditure allocations to departments amounting to £33.8 million Resource DEL and £38.8 million Capital DEL; to allocate £125 million Resource DEL to be set aside to meet Pension Costs; and to provide £4.7 million Resource DEL and £2.6 million Capital DEL additional funding for EU Exit preparation costs.

Department of Health A decision was taken to proceed with the launch of a public appointment competition to appoint five Non-Executive Members to the Health and Social Care Board (HSCB).

Department for Infrastructure A decision was taken to increase the available funding for the grant funding scheme for ports from £1m to £2.5m.

A decision was taken to make two Statutory Rules that are Traffic Regulation Orders: The Parking Places (Disabled Persons'

Vehicles) (Amendment No. 4) Order (Northern Ireland) 2019; and
The Roads (Speed Limit) (No. 3) Order (Northern Ireland) 2019.

The following decisions were taken in relation to public appointments:

- An extension of the appointments of nine board members of Belfast Harbour Commissioners for a period of 6 months until 31 July 2020;
- The appointment of two non-executive members to the board of Warrenpoint Harbour Authority;
- An extension of the appointment of the Chair of Belfast Harbour Commissioners for 10 months until 31 October 2020; and
- The appointment of a Chair to the Board of the Londonderry Port and Harbour Commissioners with effect from 1 January 2020.

**Department of
Justice**

A decision was taken to issue a direction to clarify the fees payable from Legal Aid in an Asylum or Tribunal Appeal, where the Home Office withdraws its decision on the day of the hearing.

A decision was taken to seek agreement from the Ministry of Justice (MoJ) to include Northern Ireland office holders in a MoJ review of non-legal tribunal members' fees.

A decision was taken to launch a consultation on proposed amendments to the Judicial Pensions Regulations (Northern Ireland) 2015: Member Contribution Rates and Earnings Thresholds.

A decision was taken to accept the recommendation of the Senior Salaries Review Body to place the Northern Ireland Traffic

Penalty Tribunal Adjudicator and the Legal Members of the Charity and Valuation Tribunals into judicial salary group 8.

A decision was taken to issue a “Minded to refuse” letter in respect of an application for compensation for a miscarriage of justice under Section 133 of the Criminal Justice Act 1988.

A decision was taken to appoint a judicial nominee to the role of Parole Commissioner, and to appoint a departmental nominee to the Crown Court Rules Committee.

THE EXECUTIVE OFFICE

DECEMBER 2019