

# A REPORT ON DECISIONS TAKEN DURING OCTOBER 2023 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 ETC) ACT 2022

The Secretary of State for Northern Ireland, in accordance with section 3(4) of the Northern Ireland (Executive Formation etc) Act 2022, has published guidance<sup>1</sup> about the exercise of departmental functions by senior officers of Northern Ireland departments during the absence of Ministers. 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 MLAs.

## **Decisions taken by Northern Ireland Departments: October 2023**

This summary report has been prepared by the Executive Office and provides information on the decisions taken by Northern Ireland departments during October 2023.

<b>Department</b>	<b>Decision</b>
<b>Department of Agriculture, Environment and Rural Affairs</b>	<p>A decision was taken to agree that Northern Ireland should be included within the scope of a UK-wide consultation being proposed by the Department for Environment, Food and Rural Affairs' (DEFRA) on contractual relationships in the UK egg industry.</p> <p>A decision was taken to make, lay and bring into operation The Specified Diseases (Notification) (Amendment) Order (Northern Ireland) 2023.</p>

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<sup>1</sup> The latest version of the Guidance was published on 23 May 2023 and is available at: <https://www.gov.uk/government/publications/guidance-on-decision-making-for-northern-ireland-departments-may-2023>

**Department of  
Agriculture,  
Environment and  
Rural Affairs  
[continued]**

A decision was taken to allocate the Additional Quota for 2023 for Irish Sea Herring and Irish Sea Nephrops.

A decision was taken to allocate £3.1m of earmarked Maritime and Fisheries Funding (MFF) to a range of projects and services in Northern Ireland in the 2023-24 financial year.

A decision was taken to extend the NI pilot Protein Crop Scheme for a further 3 years.

A decision was taken to publish the summary of responses and proposed way forward in relation to the consultation on bovine viral diarrhoea herd restrictions.

A decision was taken to approve the Northern Ireland Environment Agency (NIEA) 2023-24 business plan.

A decision was taken to agree to DEFRA's publication of a government response to the consultation on the introduction of a UK-wide digital waste tracking system.

A decision was taken to agree the packaging waste recycling targets to be placed on obligated producers in Northern Ireland for 2024.

A decision was taken to comment on the draft Government response to the UK Climate Change Committee's (CCC) annual progress report to Parliament.

A decision was taken to comment on and agree to the draft UK Net Zero Government Initiative Roadmap.

**Department for  
Communities**

A decision was taken to approve the inclusion of amendments to Northern Ireland's Social Security Legislation in the Carer's Assistance (Carer Support Payment) (Scotland) Regulations 2023 (Consequential Modifications) Order 2023 and the Carer's Assistance (Carer Support Payment) (Scotland) Regulations 2023 (Consequential Amendments) Order 2023.

A decision was taken to make the following Statutory Rules to ensure parity is maintained across the United Kingdom in accordance with section 87 of the Northern Ireland Act 1998:

**Department for  
Communities  
[continued]**

- The Social Security (Widow's Benefit and Retirement Pensions) (Amendment) Regulations (NI) 2023.
- The State Pension Debits and Credits (Revaluation) Order (Northern Ireland) 2023.
- The State Pension Revaluation for Transitional Pensions Order (Northern Ireland) 2023.
- The Occupational Pensions (Revaluation) Order (Northern Ireland) 2023.
- The Social Security (Habitual Residence, Past Presence and Capital Disregards) (Amendment) Regulations (Northern Ireland) 2023.
- Social Fund Maternity and Funeral Expenses (General) (Amendment) Regulations (Northern Ireland) 2023.

A decision was taken to publish the consultation report on the Private Tenancies Act – Payment Options, and to lay the report before the Assembly.

A decision was taken to commence the next phase of Universal Credit (UC) known as "Move to UC" for Tax Credit Only customers from 16 October 2023.

A decision was taken to launch a competition to appoint a new Chair to the Board of Libraries NI and to extend the term of appointment of the current Libraries NI Chair.

A decision was taken to approve the reappointment of a Libraries NI Board Member.

A decision was taken to approve and activate the Scheme of Emergency Financial Assistance from 17 October 2023 to 16 November 2023 for Belfast City Council area.

A decision was taken to approve Ards and North Down District Council's request to lease the Sir Samuel Kelly lifeboat site to Donaghadee Heritage Preservation Company Limited at a nominal rent and therefore less than best price (deemed to be £1,200 per annum).

A decision was taken to approve Newry, Mourne and Down District Council's request to grant the licensing of a designated space within Crossmaglen Community Centre at

**Department for Communities**  
**[continued]**

£2,200 per annum for 3 years, and therefore at less than best price.

**Department for Economy**

A decision was taken to amend existing legislation to extend higher education support to individuals from those groups recently added to the Home Office list of those able to avail of leave to remain in the UK.

A decision was taken to publish research findings from an examination of the impact in Northern Ireland of the proposed changes to the domestic data protection regime, as set out in the Data Protection and Digital Information (DPDI) (No.2) Bill.

A decision was taken to extend the Term of Appointment of the Invest NI Interim Chair.

A decision was taken to increase the limit of the value at which a vehicle is exempt from being treated as an asset for the purposes of the Debt Relief Scheme in order to bring Northern Ireland back in line with the scheme in England and Wales.

A decision was taken to approve the adoption for use in Northern Ireland of a new Health and Safety Executive for Great Britain Approved Code of Practice – The Radiation (Emergency Preparedness and Public Information) Regulations 2019 (2021 update) and guidance documents.

A decision was taken to place the Presbyterian Mutual Society into compulsory liquidation.

**Department of Education**

A decision was taken to provide £5m of funding from DE's Contingency for the provision of resource maintenance at Special Schools, in order to meet urgent Health and Safety and emergency maintenance.

A decision was taken to extend the terms of appointment of two CCEA Council members until such times as decisions on new appointments (from the current competition) can be considered.

**Department of  
Education  
[continued]**

Decisions were taken in relation to the following:

- The re-designation of a Special School in Belfast to change the education provision for children and young people to 3 to 19 years and to operate on a dual campus;
- To establish a new 3 to 19 years Special School in the Belfast City Council area;
- To change the management type of the Belfast Hospital School to the Education Authority;
- To close a Grant Maintained integrated post-primary school in Downpatrick;
- To establish a new 11 to 18 years Grant Maintained Integrated College in the Mid Down area.

**Department of  
Finance**

A decision was taken to commence a recruitment competition to replace the Utility Regulator Board Chair and one member, whose current term of appointment ends in June and September 2024 respectively.

A decision was taken to approve recruitment and retention premiums to Consultant Forensic Pathologists working in the DoJ State Pathology Department, and an increased responsibility allowance for the NI State Pathologist.

A decision was taken to approve the introduction of pay progression for Commissioner for Older People (COPNI) staff.

**Department of Health**

A decision was made to appeal a judgement made by the High Court in a Judicial Review taken by a member of the public against the Department's policy of Continuing Healthcare.

A decision was taken to enable the best use of the funding available for the remainder of the financial year taking account of additional income, reduced requirements, existing and emerging pressures.

A decision was taken to approve Safefood's 2023 Business and Corporate Plans 2023-2025.

A decision was taken to make the following statutory rules:

**Department of Health  
[continued]**

- The Firefighters' Pension Schemes (Amendment) Regulations (Northern Ireland) 2023
- The Misuse of Drugs (Amendment) Regulations (NI) 2023

A decision was taken to appoint a non-executive Chair to the Public Health Agency.

A decision was taken to launch a revised regional policy on Raising a Concern in the Public Interest Framework (Whistleblowing).

**Department for  
Infrastructure**

A decision was taken to make the following statutory rules:

- The Parking Places (Disabled Persons' Vehicles) (Amendment No.6) Order 2023.
- The Parking Places (Disabled Persons' Vehicles) (Amendment No.7) Order 2023.
- The Footways (Prohibition of Waiting) Order (Northern Ireland) 2023.
- The Evisk Road, Strabane (Abandonment) Order (Northern Ireland) 2023.
- The Roads (Speed Limit) (No.4) Order (Northern Ireland) 2023.

A decision was taken to increase the Maximum Taxi Fare rate by 9.5% for daytime journeys and 19.5% for evenings, weekends and public holidays, with the necessary legislation (The Taxis (Taximeters, Devices and Maximum Fares) (Amendment No. 2) Regulations (Northern Ireland) 2023) due to be made in November and come into force in December.

A decision was taken to standardise and simplify the fare structure on NI Railways

A decision was taken to formally reappoint one non-executive board member to a second term of the Board of Warrenpoint Harbour Authority.

A decision was taken to formally extend the term of appointment of one non-Executive member of the Warren Harbour Authority for three months from 1 December 2023 until 28 February 2024.

**Department of  
Justice**

Decisions were taken to make the following statutory rules:

- The Protection from Stalking (2022 Act) (Commencement) Order (Northern Ireland) 2023;
- The Court of Judicature Fees (Amendment) Order (Northern Ireland) 2023;
- The Family Proceedings Fees (Amendment) Order (Northern Ireland) 2023;
- The Judgment Enforcement Fees (Amendment) Order (Northern Ireland) 2023;
- The Magistrates' Courts Fees (Amendment) Order (Northern Ireland) 2023;
- The County Court Fees (Amendment) Order (Northern Ireland) 2023; and,
- The Court of Judicature (Non-Contentious Probate) Fees (Amendment) Order (Northern Ireland) 2023
- The Magistrates' Courts (Stalking Protection Orders) Rules (Northern Ireland) 2023.

A decision was taken that applications for Stalking Protection Orders and Domestic Abuse Protection Orders, and subsequent applications to vary or discharge such Orders, should not attract a court fee in line with the established policy applied to comparable applications.

A decision was taken to publish a report on the outcome of an engagement exercise with the main users of live links in courts and tribunals.

A decision was taken to publish a summary of responses to a consultation on the draft Planning Fees (Deemed Planning Applications and Appeals) (Amendment) Regulations (Northern Ireland) 2023 and to not increase planning appeals fees this financial year.

A decision was taken to launch a television advertising campaign to raise awareness of non-fatal strangulation.

A decision was taken to launch a recruitment competition for a Prisoner Ombudsman for Northern Ireland.

A decision was taken to extend the appointment terms of the Chairperson and three Trustees of the Royal Ulster Constabulary George Cross Foundation for a period of two years.

A decision was taken that the implementation of a number of the recommendations arising from a light-touch review of the

**Department of  
Justice [continued]**

status and governance of Criminal Justice Inspection Northern Ireland should not be taken forward at this time.

A decision was taken to revoke the licence of a prisoner under Article 9(1) of the Life Sentences (Northern Ireland) Order 2001.

A decision was taken to advance a new draft Proceeds of Crime Act Code of Practice and two draft updated Codes of Practice to align with the planned commencement of Northern Ireland provisions in the Economic Crime and Corporate Transparency Act 2023.

**The Executive Office**

A decision was taken to extend the term of appointment of two Strategic Investment Board non-executive directors by 12 months to provide cover pending the recruitment of new non-executive directors.

A decision was taken to appoint a new independent Chair for the Interdepartmental Working Group on Historical Clerical Child Abuse.

A decision was taken to take account of the views of persons aged 60 or over in the appointment exercise for the Commissioner for Older People.

A decision was deferred on a request to access the Maze Long Kesh (MLK) site.

A decision was taken to provide factual comments to the Department for Levelling-Up, Housing and Communities in respect of the draft 6<sup>th</sup> cycle Framework Convention for the Protection of National Minorities report.

A decision was taken to respond to a Cabinet Office legal and fact checking exercise on the UN Independent Expert on Sexual Orientation and Gender Identity's report.

A decision was taken to introduce a grant to provide immigration advice support for asylum seekers and refugees and a grant to provide a payment system.

**The Executive Office  
[continued]**

A decision was taken to commission an independent review of progress on the implementation of the Racial Equality Strategy 2015-2025, which involves an external consultancy assignment.