

CONFIDENTIAL

- 2 AUG 1989

PUBLIC APPOINTMENTS

CENT SEC

345h  
27 JUL 1989

NOTE OF A MEETING HELD IN THE SECRETARIAT, 20 JULY 1989

Present: Mr Spence, Central Sect  
Mr G Martin, CAU  
Mr Canavan

Mr Collins  
Mr Harwood

M. M. B. 1/8  
Miss Owens

to see a return p1

Mr 1/5

1. Mr Spence passed to the Irish side a list of major public appointments which would be filled during the first six months of 1990, indicating those positions for which Irish suggestions would be particularly welcome.

2. The meeting went on to discuss the implementation of the commitment in the Article 11 Review to consider how to remedy imbalances created in public bodies by the use of district councils' nomination powers. Mr Spence reported that some district councils had put forward a mixed slate for the Education and Library Boards and the Health and Social Services Boards. There were, however, some glaring examples of councils nominating only unionists, notably Belfast. He gave the Irish side a background paper on local government representation on public bodies which listed the statutory requirements for district council representation on two dozen public bodies. There were five types of nomination rights:

- where ALANI was specified as the nominating body in its own right (Fire Authority and the Art Council);
- nominations to the two museum boards by a 'body representative of district councils' and by Belfast City Council;
- one case (Fisheries Conservancy Board) of a nomination by an organisation representative of district councils;
- where appointments are made after consultation with organisations representing district councils;

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where specific councils nominate to bodies (including the ELBs and HSSBs).

3. Mr Spence said that it was accepted that ALANI could not be regarded as genuinely representative, even though 19 councils still belonged to it, and new instructions reflecting this were being issued to NI Departments.

4. British officials were looking generally at the issue of district council representation on public bodies. To question the presence of councillors on functional boards struck at one of the principles of the Macrory reforms. Alternative ways of ensuring greater balance in council nominations were under examination.

- Proportionality was an option which had been previously discussed with the Irish side. The possibility of guaranteeing a role for Sinn Fein was the main obstacle. To exclude Sinn Fein from a proportionality scheme could infringe the NI Constitution Act.
- Giving Ministers greater powers to select councillors for public bodies was superficially attractive but raised major issues about local democracy. This would also require legislative changes with a lead time of 2 - 3 years.
- Quietly exercising such discretionary powers as were available was another option. An example of this was the recent appointment of a new chairman of the Local Government Staff Commission. Other bodies were being examined. For instance, the legislation on the Health and Social Services Boards required that at least one person be nominated by each of the District Councils in each Board's area. In cases where a number of councillors were nominated by a particular council there was no legal requirement to accept them all. It was currently being explored whether Ministers had room to manoeuvre in dealing with the nominations (all unionist) from Belfast and Craigavon.

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5. Mr Collins responded that following the Review the Irish side had been giving some thought to this. It was clear to them that some legislative adjustment would be necessary. He asked for details of the district council representation on the education and health boards. Mr Spence replied that at the moment only the education board appointments were available, those for the health boards would be available in about a fortnight.

[signed]

Principal Secretariat

26 July 1989

cc Mr Spence - B

Mr Miles o/r

Mr Masefield

Mr Blackwell - B

Mrs Aitken - B

7227/DR

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