EXPLANATORY MEMORANDUM TO

The Local Government (Capital Finance and Accounting) (Coronavirus) (Amendment) Regulations (Northern Ireland) 2021

SR 2021 No 31

1. Introduction

1.1. This Explanatory Memorandum has been prepared by the Department for Communities ("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 sections 3(2) and 43(2) of the Local Government Finance Act (Northern Ireland) 2011. The Statutory Rule is subject to the negative resolution procedure.

2. Purpose

2.1. These Regulations amend The Local Government (Capital Finance and Accounting) Regulations (Northern Ireland) 2011 by extending the deadline for councils to set their budget for 2021/22. This will allow the councils more time to address financial planning considerations arising from the Covid-19 pandemic.

2.2. These Regulations are time limited and apply to the setting of the budget for the year beginning on 1 April 2021. The statutory deadlines for subsequent financial years remain unchanged.

2.3. For the financial year beginning 1 April 2021, this technical amendment extends the prescribed date from 15 February to 1 March 2021.

3. Background

3.1. These amending Regulations are being made in response to an unprecedented situation across the UK relating to COVID-19 and the need to reduce the pressure on councils to comply with legal deadlines. As such, these Regulations provide councils with additional time to set their budget for 2021/22, given the likely impact of the COVID-19 virus on the availability of council staff. The Department for Communities is therefore making these Regulations which will extend the deadlines for councils setting their budgets for 2021/22.

4. Consultation

4.1. These Regulations have been drafted as part of the Government's response to the COVID-19 pandemic. Given the urgency with which these Regulations are required it will not be possible to consult in the normal manner. The Department has engaged with the Association of Local Government Finance Officers, SOLACE NI and NILGA who are supportive of the urgent introduction of these technical amendments.

5. Equality Impact

5.1. The Department, having carried out its own screening exercise, is satisfied that these Regulations will not lead to a significant discriminatory or negative differential impact on any particular Section 75 group.

5.2. These Regulations introduce technical amendments to extend the deadlines for budget setting for the financial year beginning on 1 April 2021.

6. Regulatory Impact

6.1. The Department has carried out a preliminary screening exercise in terms of the regulatory impact of these Regulations, and has determined that they will have no direct or indirect adverse impact on businesses, the voluntary and community sector (including charities) and the social economy sector.

7. Financial Implications

7.1. No Executive expenditure required.

8. Section 24 of the Northern Ireland Act 1998

8.1. The Department is satisfied that these Regulations comply with section 24 of the Northern Ireland Act 1998.

9. EU Implications

9.1. Not applicable.

10. Parity or Replicatory Measure

10.1. Not applicable.

11. Additional Information

11.1. Not applicable.

12. "21 day rule"

12.1. It is not possible in the case of these Regulations to comply with the 21 day rule which requires subordinate legislation to be laid before the Northern Ireland Assembly for at least 21 days prior to coming into operation. These Regulations provide councils with additional time to set their budget for 2021/22. The statutory deadline extended by these Regulations is 15 February, therefore these Regulations must be brought into operation on or before this date.