

PN West Belfast

CONFIDENTIAL

Sturges

MEETING, 9:30 AM, 23 JANUARY 1985 TO DISCUSS CONTINGENCY PLANNING FOR WHITEROCK LEISURE CENTRE

Present: Secretary  
Mr Martin  
Mr Johnston  
Mr Hill  
Mr N Hamilton (DOE)  
Mr R Reeve (NIO)

387 2277  
24 JAN 1985  
FILE L2

In attendance: Miss Craig

- 1. The Secretary explained that the purpose of the exercise was to draw up a contingency plan to be put to the Secretary of State concerning Whiterock Leisure Centre. The basis of the plan would be to ensure that the Leisure Centre could not be taken over by Sinn Fein.

The course of action to be taken would be firstly to draw up a plan, and secondly to alert the Secretary of State to the difficulties involved.

- 2. The Secretary described the situation to date. Belfast City Council had resolved that if the flag and plaque were not removed from Whiterock Leisure Centre, it would ask DENI to take over responsibility for the Centre. The Council had sent a letter to this effect to DENI. The Department had acknowledged the Council's letter, saying that Mr Scott would meet them at a date to be arranged. Advice to the Secretary of State via PUS to withhold action on the matter as long as possible had been accepted.
- 3. If DENI refused to take over responsibility for the leisure centre, the City Council's only option would be to close it. DENI had been asked to draw up a plan to keep the leisure centre going without risk of take-over by Sinn Fein.
- 4. Mr Hamilton reported that he had discussed the matter with Mr Barry the previous day. Three areas for contingency planning existed;
  - i) remove the offensive symbols;
  - ii) threaten the Council by withdrawing grants or imposing surcharges; however, the Council would effectively have to close the leisure centre before threats of withdrawal of grant or surcharges could be made;
  - iii) use powers as they exist or might exist under Sections 128 and 129 of the Local Government Act. Under Section 129 the DOE could set up an investigation to determine whether the local authority had fulfilled its function;
  - iv) use the powers available under a Temporary Provisions Order like that drafted in 1982. This would have to be agreed by the Privy Council and confirmed by Parliament within 40 days. The Order would procure the continuation of the leisure function of Belfast City Council.

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5. In order to put this last option into practice, an officer from DOE or DENI would have to be appointed to run the Council's leisure services. The advantage would be that the take-over would be immediate and would abolish the risk of the leisure centre coming under the control of Sinn Fein. This option did not cause a major problem in financial terms as the Order made provision for the money to be recouped from the Council. However, take-over by the Government could mean assuming responsibility for all leisure services provided by the recreational function of District Councils. It might also include community and park facilities since both were to be found in leisure centres. It was unlikely that 'function' should be interpreted to mean a single leisure facility - ie Whiterock.

In taking over responsibility from the Council, the Government would need to prove that the Council was not fit to run it. This, however, could be done under Section 3 which referred to local authorities failing, being unable or unwilling to exercise their function duly and effectively.

6. The problems involved in this particular option included:

- i) the difficulty of handing responsibility back to the Council once it had been taken over by the Department; a return to the original situation might mean a demand by the Council for new financial arrangements eg Central Government funding;
- ii) the heightening of political tension and increased polarisation at the forthcoming local government elections; it was likely that the matter would become an electoral issue.

7. Summing up discussion, the Secretary said support for this option would be sought on the grounds that

- (a) if Belfast City Council was determined to abandon its responsibility for the leisure centre, quick action was imperative if services for the people of the area were to be maintained; and
- (b) the most effective way of handling this was through the powers available under the proposed draft Order.

8. Several alternative courses of action were suggested. These included

- i) the setting up of a small Management Committee by the Department which would be composed mainly of members of the Council. This would look after the day-to-day management of the Centre. However, in order to make this proposition attractive to the Council, the Department would perhaps have to nominate 1 or 2 of its own officials as members. This option would allow Unionist members of the Council to 'back down' without too much difficulty after the May elections, and would perhaps ease the matter for a couple of months. (This was not viewed as a contingency plan).
- ii) removal of the flag and plaque from the building;
- iii) take-over of the centre by other agencies eg the Education and Library Board.

Alternatives (ii) and (iii) were not considered practicable.

It was also suggested that the Council could be threatened with the 1973 Constitution Act which could lead to an unpleasant court case for the Council.

9. In drawing discussion to a close, the Secretary outlined the following course of action:

- i) he would minute Secretary of State via Mr Bloomfield suggesting that the contingency plan should be as described in paragraph 7 (of this note) and listing the pros and cons of this measure;
- ii) mention Mr Martin's suggestion at 8(i) as a face saving alternative.

DENI would produce a draft to which DOE and NIO would have an input; the draft be circulated that day, and the letter would go to the Secretary of State on Friday. Mr Scott and Mr Patten would be kept informed of all developments.