

Strategic Policy and Resources Committee

Friday, 9th November, 2007

SPECIAL MEETING OF STRATEGIC POLICY AND RESOURCES COMMITTEE

Members present: Councillor D. Dodds (Chairman); and
Councillors Adamson, M. Browne, Convery, Hanna,
Hartley, Maginness and Rodway.

Also attended: The Deputy Lord Mayor (Councillor Kelly); and
Councillor Moore.

In attendance: Mr. P. McNaney, Chief Executive;
Mr. G. Millar, Director of Improvement;
Mr. L. Steele, Head of Committee and Members'
Services;
Mr. K. Heaney, Development Officer, Chief Executive's
Department; and
Mr. J. Hanna, Senior Committee Administrator.

Apologies

Apologies for inability to attend were reported from Councillors Lavery and P. Maskey.

Review of Public Administration

The Committee considered the undernoted report in relation to the Council's response to the emerging findings of the Review of the Local Government aspect of the Review of Public Administration:

"1.0 Relevant background information

- 1.1 Members will recall that the NI Executive had agreed and announced on 6th July that there would be a review undertaken of the local government aspects of the Review of Public Administration (RPA) within the context of devolved government and wider decisions on the RPA implementation programme.**
- 1.2 The review consists of three distinct but interlinking strands. It will focus on the creation of a shared vision for local government in Northern Ireland and will reconsider both the number of Councils and the functions transferring to local authority control.**

- 1.3 The review has been led by a sub-committee of the NI Executive with provision for reporting progress and emerging findings to the Executive. Chaired by the Environment Minister, Arlene Foster MLA, the membership of the sub-committee consists of the Minister for Finance and Personnel, the Minister for Social Development, the Minister for Regional Development and the Minister of Health, Social Services and Public Safety.
- 1.4 On 19th October, the NI Executive's Sub-Committee released its Emerging Findings Report on the review of the local government aspects of the Review of Public Administration for consultation up until 16th November, 2007.
- 1.5 The Council's Strategic Policy and Resources Committee, at its meeting on the 19th October, agreed to schedule a special meeting of the Committee for 9th November, to which all Members of the Council would be invited, to discuss a draft corporate response to the Emerging Findings Report.
- 1.6 Furthermore, it was agreed that briefings on the Emerging Findings Report would be offered to all Party Groups to enable elected Members to consider, in detail, the proposals and to contribute towards the development of a draft Council response.
- 1.7 Members will note that a number of briefings have taken place and the comments received from the Party Groups have been incorporated within the Council's draft response attached at Appendix 1.
- 1.8 PriceWaterhouseCooper, on behalf of the DOE, has had a number of stakeholder events with local government and a copy of the key discussion points arising is enclosed as Appendix 4.
- 2.0 Key issues
- 2.1 We are rapidly approaching a critical stage in the RPA process and in defining the future shape and role of local government within Northern Ireland. Key decisions will be taken over the coming weeks with regard to the exact nature of the functions (and the resources that support them) which will be transferring from central government to local government. It is essential that there is a common understanding within both central government and the NI Executive of the need for an adequate cluster of functions to be devolved to local government to enable Councils to fulfil their crucial role as place shapers, enablers and co-ordinators of the delivery of joined-up local public services to the citizen.

- 2.2 Local government, in general, and Belfast City Council individually must be engaged within these discussions and take every opportunity to inform and influence the ongoing deliberations and decisions of the NI Executive to ensure that the best interests of the citizens of Belfast are protected and enhanced.
- 2.3 Emerging Findings Report on review of the local government aspects of the RPA
- 2.3.1 Members will note that the current proposals contained within the Emerging Findings Report, if carried forward into the implementation of the RPA, would represent a missed opportunity to really make a difference in the way that Northern Ireland is governed and would deliver a substantially 'watered down' version of the 'strong local government' which the original RPA proposals had set out to achieve.
- 2.3.2 It is suggested that the Emerging Findings Report is at odds with itself. It agrees a vision for local government and then sets out proposals which fall far short of enabling Councils to deliver on that vision. The proposals put forward do not align with the commitment given by the NI Executive of creating 'strong local government' and undermine the principle of 'subsidiarity'.
- 2.3.3 The limited scale of the change is reflected in the proposed transfer of resources. Under the proposals, only 1,036 staff from a current 32,000 in the Northern Ireland Civil Service and a mere £99 million from a budget of £8 billion will transfer from central government to local government. Members should note the undernoted changes to the original RPA proposals:
- Fire and Rescue Service will not transfer;
 - No Housing related functions will transfer;
 - Strategic elements of Planning Area Plans will remain the responsibility of the Department of the Environment;
 - No local road functions will transfer
 - Limitation in the proposed transfer of Local Economic Development functions – no consideration given to the Invest NI Land Bank;

- **Transfer of Urban Regeneration functions has been caveated;**
- **No consideration given to the transfer of Libraries and Youth Service; and**
- **No indication given as to how Local Government will relate at a local level in relation to Health and Education issues.**

2.3.4 Whilst the paper confirms the role of Councils in community planning, it is not clear that the functions proposed for transfer would enable community planning to be implemented effectively, if at all by Councils. We understand that it is the Executive's intention to legislate for a new partnership between central and local government, but the Emerging Findings Report is silent on that issue.

2.3.5 It is strongly suggested that the Council stresses the need for the Executive to implement within the Review the commitment given in the Programme for Government to serve the needs of the citizen first. We need to be serving the public as opposed to providing public services. For that reason, local services should be located within Councils because they operate at a local level and are best placed to deliver them in an integrated and efficient way.

2.3.6 It is important that the transfer of functions is not considered on an individual basis but, rather, greater thought must be given to their overall contribution to building local quality of life, regeneration and prosperity of communities. There is a clear need for people to have their local services provided by one organisation so that they have a single point of accountability.

2.3.7 The principle should be that the functions transferring to local government should be those which are required to allow Councils to make a difference to both the performance of their areas and in the outcomes that matter for citizens. Accordingly, it is proposed that the Council, in its response to the Emerging Findings Report, should seek enhanced or additional powers with respect to:

- **Planning - to include area planning delivered, possibly, on a group basis (i.e. clusters of Councils delivering area planning at a sub-regional level);**
- **Built Heritage – responsibility for designating Conservation Areas; Areas of Townscape Character and the management of Conservation Area Character Appraisals**

- Local Roads – greater involvement in the prioritisation, management and maintenance of local roads;
- Urban Regeneration – removal of the caveats attached to the transfer of functions;
- Local economic development - including control of the Invest NI land bank (subject to an overall land use policy being put in place), local product development and marketing;
- Rural development;
- Health Services – enhanced role in supporting health development activities at the local level;
- Youth Services – transfer of youth services to local authorities and their integration within the Council’s wider community development agenda and enable Councils to introduce youth diversion initiatives to address anti-social behaviour problems;
- Libraries – transfer library services to local authorities with a view to supporting more innovative and integrated local service delivery models (e.g., public service centres); and
- Housing functions – Houses of Multiple Occupation (HMO) registration and enforcement; private sector grants; group repair; unfitness and energy conservation.

2.4 Joint NILGA and SOLACE response

2.4.1 Members will note that the Northern Ireland Local Government Association (NILGA) and the Society of Local Authority Chief Executives (SOLACE) have compiled a composite response to the Emerging Findings Report on behalf of the Local Government Sector (a copy of which is attached at Appendix 5) and has sought the endorsement of the Council for this approach. The paper from NILGA/SOLACE complements the Council’s own position and, therefore, the Committee is requested to indicate its endorsement.

2.5 Influencing and engagement

2.5.1 It is important that every opportunity is taken to inform and influence the forthcoming decisions of the NI Executive. Local government must accept its obligations and challenge itself. It must develop an agreed and cohesive voice and evidence-based agenda for local government reform and ensure that the views of local government are communicated directly to the decision makers and influential people conducting the RPA review.

2.5.2 It is equally important that an effective communication and lobbying campaign is initiated on behalf of the sector to ensure that all strands of local government are mobilised and convey an agreed view on the need for strong, connected and responsive local government.

2.5.3 Members will note that an All-Party delegation will meet with the Department of Environment Minister, Arlene Foster, MLA on 15th November to discuss the RPA Emerging Findings Report and to examine any issues which the Council may have regarding the proposals contained therein.

3.0 Resource Implications

Financial and Human Resources

There are no financial or Human Resource implications contained within this report.

4.0 Recommendations

The Committee is asked to:

- (a) consider the draft Belfast City Council's response to the RPA Emerging Findings Report (attached at Appendix 1);
- (b) agree to submit the response to the Department of Environment, subject to any amendments made by Members;
- (c) agree the composition of the All Party Groups which will meet with the Minister for Environment on 15 November;
- (d) highlight the key areas of political concern so they can be articulated to the Minister; and
- (e) note the draft response of NILGA/SOLACE and highlight any areas of concern.

Belfast City Council

Draft Response to the 'RPA Emerging Findings Paper'

1. Executive Summary

1.1 Belfast City Council welcomes the opportunity to respond to the NI Executive's Emerging Findings Report on the review of the local government aspects of the Review of Public Administration and believes that this should be only, the first stage of an opened and honest discussion with the local government sector.

- 1.2 Within the context of the new political arrangements in Northern Ireland, the Council would consider the NI Executive's Review of the RPA as a once in a generation, unprecedented opportunity to shape the future of local government and provide a structure of governance that will improve the quality of lives of people across Northern Ireland.
- 1.3 The Council believes that the current proposals contained within the Emerging Findings Report, if carried forward into the implementation of the RPA, would represent a missed opportunity to really make a difference in the way that Northern Ireland is governed and would deliver a substantially 'watered down' version of the 'strong local government' which the original proposals had set out to achieve. The proposals fail to establish the much needed principle that central government sets the strategic direction, identifies priorities and develops policy, whilst local government is enabled to deliver integrated and co-ordinated services at the local level and held to account by regional government for results. This should be seen as a win-win situation.
- 1.4 The limited scale of the change is reflected in the proposed transfer of resources. Under these proposals, only 1,036 staff from a current 32,000 in the Northern Ireland Civil Service and a mere £99 million from a budget of £8 billion will transfer from central government to local government. As a result, the Council questions whether what is on offer would warrant Council reorganisation given the significant costs which would be attached.
- 1.5 The Council is concerned that after a lengthy five year process and the development of a substantive and robust evidence base, at a significant cost to the taxpayer, the Emerging Findings paper, with the exception of the transfer of some Planning functions and the introduction of community planning, does not provide significant additionality to the role that Councils already undertake.
- 1.6 Belfast City Council would contend that the Emerging Findings Report is at odds with itself. It agrees a vision for local government and then sets out proposals which fall far short of delivering on that vision. It is alarming that the proposals contained within the emerging Findings paper do not align with the underpinning RPA principles of 'subsidiarity' and 'strong local government'.

- 1.7 Even more worryingly, the Emerging Findings Report is out of kilter with best practice and the evidence-based approach to local government reform and reform of public service delivery elsewhere in the UK and the Republic of Ireland. In England, a major shift of powers and responsibilities from central to local government is underway as part of the '*double devolution*' agenda in which power is shifting to Councils and through Councils to communities. Local government should have a central role to play in shaping local public services on behalf of communities and the citizen.
- 1.8 The current proposals run contrary to the NI Executive's ambition as set out within the recent Programme for Government to work towards '*changing the focus from one of administration boundaries to addressing the needs of people and working together to deliver better experiences and outcomes*'.
- 1.9 Whilst the paper confirms the role of Councils in community planning, it is not clear that the functions proposed for transfer would enable community planning to be implemented effectively, if at all, by Councils. To be effective in its rightful role of 'place shaper' local government needs to be responsible for a critical mass of relevant services. We also understand that it is the Executive's intention to legislate for a new partnership between central and local government, but the Emerging Findings Report is silent on that issue – indeed the word partnership occurs only once in the Report.
- 1.10 The Council would recommend that central government starts thinking about the needs of the citizens. We need to be serving the public as opposed to providing public services. For that reason, services should be located within Councils because they operate at a local level, accountable to locally elected representatives, to deliver them in an integrated and efficient way. Such a principle recognises the research conducted by the original RPA team which acknowledged the reality that people who believe that they are not getting the public service they deserve, much prefer to take this complaint to an elected representative who they believe should be directly accountable for oversight of the quality of service delivery. Therefore, the Executive should recognise the democratic legitimacy of Local Government and its commitment to citizens.

- 1.11 The Council is concerned that the proposals contained within the Emerging Findings Report will not act as a catalyst or driver for greater integration in public service delivery at the local level. We must improve our single system of government through clarity of responsibility, alignment of purpose and ensuring services are delivered by those parts of the system which are best placed to meet the needs of the citizen. The current proposals seem to be aimed more at ensuring government departments hold on to their responsibilities, budgets and staff rather than providing the right services for the citizens.
- 1.12 The Council would also highlight the need to separate responsibility for the delivery of local public services and the scrutiny of the efficiency and effectiveness in service delivery.
- 1.13 The local government reforms introduced should be visionary, ambitious, and driven by the need to make services user or citizen centred rather than driven by the needs and agenda of the delivery organisation. The citizens of Northern Ireland deserve the same level of integrated and responsive local services that are delivered in other jurisdictions.
- 1.14 It is important that the transfer of functions is not considered on an individual basis but, rather, greater thought must be given to their overall contribution to enhancing local quality of life, regeneration and prosperity of communities. There is a clear need for people to have their local services delivered, or at least co-ordinated, by one organisation so that they have a single point of accountability.
- 1.15 The principle should be that the functions transferring to local government should be those which are required to allow Councils to make a difference to both the performance of their areas and in the outcomes that matter for citizens. Councils should be given a comprehensive portfolio of functions and responsibilities to be discharged in partnership with regional government to enable them to:
- improve public services;
 - widen both access and choice for local people;
 - improve the quality of peoples lives;
 - encourage integrated service delivery at the local level; and
 - create attractive, vibrant, prosperous, safe and friendly places where people are proud to live.

1.16 Accordingly, Belfast City Council would seek enhanced or additional powers with respect to:

- Planning - to include area planning delivered, possibly, on a group basis (i.e. clusters of Councils delivering area planning at a sub-regional level);
- Built Heritage – responsibility for designating Conservation Areas; Areas of Townscape Character and the management of Conservation Area Character Appraisals
- Local Roads – greater involvement in the prioritisation, management and maintenance of local roads;
- Urban Regeneration – removal of the caveats attached to the transfer of functions and there should not be a transitional approach;
- Local economic development - including control of the Invest NI land bank (subject to an overall land use policy being put in place), local product development and marketing;
- Rural development;
- Health Services – enhanced role in supporting health development activities at the local level. It is vital that there is recognition of the ability of Councils, through their community planning role, to impact on improving health and reducing health inequalities by creating the linkages with health determinants such as education, employment, housing, regeneration, community cohesion, community safety, etc;
- Youth Services – the transfer of youth services, following a review of needs and investment levels, to local authorities and their integration within the Council’s wider community development agenda. This would enable Councils to more effectively address antisocial behaviour, which is one of the major concerns of the citizens of Belfast. This would include the introduction of more effective youth diversion initiatives, reparation schemes, greater linkages with community development and inter-generational initiatives, etc.;
- Libraries – transfer library services to local authorities with a view to supporting more innovative and integrated local service delivery models (e.g., public service centres); and

- Housing functions – Houses of Multiple Occupation (HMO) registration and enforcement; private sector grants; group repair; unfitness and energy conservation.
- 1.17 It is equally important that Councils have a key role in co-ordinating the local delivery of those services which do not transfer to local government. This should be considered within the context of Community Planning and the need for appropriate local government representation on partner agencies. The Council would recommend that local government must be afforded their democratic legitimacy to scrutinise and call to account those services that affect and contribute towards improving the quality of life of citizens.
- 1.18 Belfast City Council calls on the Executive to fundamentally review what is proposed and requests the Executive to consider the issue of how its final proposals will deliver on the agreed principles of 'strong local government' and 'subsidiarity', the shared vision, match the undisputed evidence in favour of strong local government and are based on a robust economic cost/benefit analysis.
- 1.19 The Council would call on the NI Executive to deliver what is being delivered by other devolved administrations in the UK, to meet the needs of Northern Ireland citizens for flexible responses to local needs, to break down the Departmental silos which have developed during the Direct Rule period and to implement its own vision for 'strong local government' in an effective, efficient, citizen focused, democratically accountable, and ambitious way.
- 1.20 The Council would suggest that, with considerable political commitment and willingness, the organisational barriers which exist between central government departments and Councils can be challenged and broken down as new forms of delivery and joint working evolve to focus on the needs and agenda of citizens and lead to transformational and sustainable improvements in the delivery of public services within Northern Ireland.
- 1.21 The Council is committed to working with the Executive and its Departments in rising to this new joint challenge and calls for a fundamental review of the current proposals.

2.0 Introduction

2.1 Within the context of the new political arrangements in Northern Ireland, Belfast City Council would consider the NI Executive's Review of the RPA as a once in a lifetime, unprecedented opportunity to shape the future of local government and provide a structure of governance that will improve the quality of lives of people across Northern Ireland.

2.2 Belfast City Council believes that the current proposals contained within the Emerging Findings Report, if carried forward into the implementation of the RPA, would represent a missed opportunity to really make a difference in the way that Northern Ireland is governed and would deliver a substantially 'watered down' version of the 'strong local government' which the original proposals had set out to achieve. The proposals fail to establish the much needed principle that central government sets the strategic direction, identifies priorities and develops policy, whilst local government is enabled to deliver integrated and co-ordinated services at the local level and be held to account by regional government for overall results. This should be seen as a win-win situation.

2.3 The limited scale of the change is reflected in the proposed transfer of resources. Under these proposals, only 1,036 staff from a current total of 32,000 in the Northern Ireland Civil Service and a mere £99 million from a budget of £8 billion will transfer from central government to local government.

2.4 The Council is concerned that after a lengthy five-year process and the development of a substantive and robust evidence base, at a significant cost to the taxpayer, the Emerging Findings paper, with the exception of the transfer of some Planning functions and the introduction of community planning, does not provide significant additionality to the role that Councils already undertake.

2.5 Belfast City Council would concur with paragraph 8 of the report which accepts that the review 'provides a significant opportunity to transform local government in Northern Ireland in terms of strengthening and enhancing local democracy, achieving real improvements in the quality of life for people and in the efficiency and effectiveness of service delivery'. However, the Council would contend that the current proposals do not reflect this commitment.

- 2.6 The Council would suggest that the Emerging Findings Report is at odds with itself. It agrees a vision for local government and then sets out proposals which fall far short of enabling Councils to deliver on that vision. The proposals put forward do not align with the commitment given by the NI Executive of creating 'strong local government' and undermine the principle of 'subsidiarity'.
- 2.7 The current proposals would not lead to transformational change or significant improvements in local service delivery and runs contrary to best practice and local government reform being undertaken in Great Britain, Scotland, Wales and the Republic of Ireland. Local government should have a central role to play in shaping local public services on behalf of communities and the citizen. The current fragmented nature of governance within the region would be further embedded and limited resources and efforts rendered ineffective by the complexity of decision-making channels, funding streams and the myriad functionality and departmental approach to delivering public services across Northern Ireland.
- 2.8 This would run contrary to the NI Executive's ambition as set out within the recent Programme for Government to work towards 'changing the focus from one of administration boundaries to addressing the needs of people and working together to deliver better experiences and outcomes'.
- 2.9 This situation cannot be maintained; it creates confusion for the citizen who wishes to access services or seek information, as well as those who wish to invest in the city. It is hindering the potential regeneration of Belfast, thereby, constraining the city's potential to drive growth across the rest of the region. As the Review moves into its final phase and decisions are taken about future structures and the transfer of functions, it is vital that these issues are addressed and that the Council emerges from the process with the ability to directly and effectively improve quality of life across Belfast.
- 2.10 The Council believes that, whilst improved efficiency should be a key purpose of the Review, all proposed solutions must also be tested against the social outcomes that any system of governance should be required to deliver: improved health, better education, a cleaner environment, improved community relations, increased economic prosperity and a safer community. The creation of strong local government within the region must mean

the creation of local authorities with the necessary powers and functions to not only articulate a vision and plan for their locality but also the capacity, resources and range of functions to deliver on its commitments.

- 2.11** Accordingly, it is important that the transfer of functions is not considered on an individual basis but, rather, greater thought must be given to their overall contribution to enhancing the local quality of life, regeneration and prosperity of communities. There are clear benefits (e.g., greater accessibility, accountability and flexibility) for the citizen in supporting integrated service delivery at the local level. There is a clear need for people to have their local services provided by one organisation so that they have one point of contact to access services. This would also allow greater flexibility in identifying and providing services that each local area requires.
- 2.12** The Council would suggest that we need to start thinking about the needs of the citizens. We need to be serving the public as opposed to providing public services. For that reason, services should be located within Councils because they operate at a local level to deliver them in an integrated and efficient way.
- 2.13** If public service is about serving the public, it is our citizens whose needs require to be front and centre of this debate. Local elected representatives should also have a key role in ensuring local needs are met.
- 2.14** The citizens of Northern Ireland deserve the same level of integrated and responsive local services that are delivered in other jurisdictions. The focus should be on improving the quality of life, health and well-being of the community and there should be a more integrated approach to public service delivery across Northern Ireland in order to achieve greater efficiencies and effectiveness.
- 3.0** General Comments
- 3.1** In considering the RPA Emerging Findings Paper, Belfast City Council would suggest that the NI Executive should consider the undernoted issues which provide the context for the Council's detailed response.

- 3.2 **Transitional arrangements – Belfast City Council calls upon central government and the NI Executive to fully and meaningfully engage with local government in the task of finalising proposals and designing the transitional phase. Arrangements must be put in place to ensure that the local government sector is involved in those policy and resource decisions that will impact upon not just those services which it currently delivers but those which are likely to transfer as a result of the review. This is particularly important for those services which it is recognised that are currently under resourced. It is also crucial that to build capacity, a number of community planning pilots are established and supported by Central Government.**
- 3.3 **Capacity building – the Council believes that capacity building measures are urgently required in order to prepare both local and central government for the challenges ahead and to ensure that both sectors are ‘fit for purpose’. The Council would call for the creation of a fund to build capacity across government in advance of the full implementation of the Review’s recommendations.**
- 3.4 **Phased approach - whilst accepting the desirability of the NI Executive to transfer functions and resources in a phased manner, the Council would be concerned of the current lack of any detail around the timing of transferring functions and the caveats and conditions which seem to be attached to the transfer of particular functions.**
- 3.5 **Adopting a local (citizen) focus to service delivery – when assessing which services should be transferred, the starting point should be those services which are best and most easily delivered at the local level. We need to start thinking about the needs of the citizens. We need to be serving the public as opposed to providing public services. For that reason, services should be placed with Councils which are the organisations best placed at a local level to deliver them in an integrated and efficient way.**
- 3.6 **Ensuring a holistic approach to the transfer of services – the Review presents an opportunity to bring together services, which are more effective when managed together than separately and which have the potential to reinforce and support each other. It is important that the transfer of functions is not considered on an individual basis but, rather, greater thought given to their overall contribution to**

building local quality of life, regeneration and prosperity within our communities. The principle should be that the functions transferred to local government should be those which are required to enable Councils to make a difference to the performance of their areas and in the outcomes which matter to the citizen.

- 3.7** Developing a robust, comprehensive community planning framework – strong local government should be underpinned by a comprehensive statutory community planning framework that legislates for a Council’s authority to extend beyond merely facilitating the planning process to actuality co-ordinating the delivery of local services by other public service providers. There must also be effective mechanisms to ensure joint accountability for delivery of community plans.
- 3.8** Improving the relationship between central and local government – the Council is disappointed that the commitment given by the previous direct rule administration regarding the introduction of a new statutory relationship between local and regional government seems to be omitted from these proposals. It is vital that any reforms introduced provide a more coherent interface between central and local government and the Council would seek further clarification from the NI Executive as to how it would intend to formalise this statutory relationship.
- 3.9** If we are to create strong, vibrant, innovative and responsive local government delivering the quality of local leadership and public services that their communities need, there must be a deepening of the community leadership role of Councils and an assertion of the primacy of local government as a key service provider within Northern Ireland. That would necessitate a much more extensive transfer of powers to local authorities than what is currently proposed within the emerging findings report.
- 3.10** Securing a greater balance of power and supporting the European Charter for Local Self Government - in paragraph 7 there is recognition of the need to re-examine the balance of power between regional and local government which is in step with the European Charter for Local Self Government. The Council believes that such a balance can only be achieved when Councils are given enhanced functions and are of a critical mass to ensure that a genuine relationship with central government.

- 3.11 Lack of dialogue – the Council would be concerned that the proposals contained within the RPA Emerging Findings Paper have been made in the absence of any genuine dialogue between local and central government and hence a lack of mutual understanding or appreciation of the aspirations and concerns of the local government sector. Accordingly, the Council would encourage a much greater level of discussion and joint working as any further design and implementation process begins.
- 3.12 Funding issues – the Council is concerned at the level of under-funding that currently exists with respect to some of the services which are proposed to transfer to local government and would demand that adequate resources are attached to the transferring functions to enable service delivery standards to be improved.
- 3.13 Supporting Sustainable Development – the Council is disappointed that the Emerging Findings report does not take into account the emphasis placed on the role of local government in supporting sustainable communities as outlined within the Northern Ireland Sustainable Development Strategy.

The Strategy suggests that the role of the local authorities is to ensure that services are delivered at the right level to meet citizens needs, by the authority itself, by other public agencies and by the voluntary, community and private sector, while setting a vision for its area through an inclusive community planning process and drawing together the tools and means to deliver that vision. Greater integration between service providers and the effective engagement of communities in developing services at the local level is critical to achieving sustainable communities.

- 3.14 Staff Morale – the Council is disappointed with the comments outlined at paragraph 39 of the Emerging Findings Report and would suggest that they represent a loss of focus on the central outcome drivers for the RPA. The Council would suggest that the staff issues raised should not be determinants of the nature of the change but should be addressed through sensitive implementation measures. Similar staff concerns exist within the local government sector and staff morale has been adversely affected by the ongoing delays and uncertainties within the RPA process.

- 4.0 Vision for Local Government (paragraphs 6 – 12)**
- 4.1** Belfast City Council, in principle, is supportive of the vision for local government outlined within the Emerging Findings Report and would concur with the view that there is a need to provide effective civic leadership, balance power between regional and local government and enable Councils to co-ordinate local service delivery.
- 4.2** The Council would suggest that the vision is ‘citizen focused’ and reflects the connection and commitment of local government to the communities and the citizens they serve. The strength of local government is its roots in local communities and its connection to the citizen.
- 4.3** Unfortunately, the proposals in the rest of the Emerging Findings Report do nothing to advance that vision. The creation of strong, effective and responsive local government within the region must mean the creation of local authorities with the necessary powers and functions to not only articulate a vision and plan for their locality but also the capacity, power, resources and range of functions to deliver on its commitments.
- 5.0 Transfer of Functions**
- 5.1.1** The Council would call for the NI Executive to reconsider its current proposals regarding the transfer of functions with a view to supporting a more satisfactory, ambitious and visionary approach to public service delivery in Northern Ireland and to strengthening the relationship between central government and local government.
- 5.1.2** In Paragraph 18 the Executive Sub-Committee acknowledges the emphasis of the RPA on creating strong local government, subsidiarity and the need for a critical mass of services. Therefore, the Council would question what has changed in the Executive’s expectation of the RPA that would provide the rationale for reversing the earlier decisions regarding the transfer of functions.
- 5.1.3** The principle should be that the functions transferring to local government should be those which are required to allow the new Councils to make a difference to both the performance of their areas and the outcomes that matter for citizens.

- 5.1.4 For its part, the local government sector in Northern Ireland has set out its stall. In a paper commissioned jointly by NILGA and SOLACE entitled 'Strong and Effective Local Government in Northern Ireland¹', the local government sector sets out evidence-based arguments in favour of the transfer of a more substantive range of functions to local government and shows how such functions could be administered effectively and efficiently by Councils with no loss of economies of scale through the creation of a group system approach to delivering particular functions (e.g., planning, roads etc).
- 5.1.5 The paper acknowledges the role of local government as 'Place Shapers' and argues that localised issues cannot be addressed easily by the centre. It reinforces the strategic leadership and co-ordinating role of Councils in delivering integrated and responsive local services and suggests that there must be a clear separation between policy development and service delivery within the context of a strategic relationship with regional government.
- 5.1.6 There also needs to be a clear interface between the reformed local government and the new bodies in the Health and Education sectors.
- 5.1.7 It is evident that there is a major gap between the local government sector's commitment to ambitious, visionary change, driven by best practice, and the Executive's proposals in the Emerging Findings Report which offer a vision but fail to offer any realistic means to deliver that vision.
- 5.1.8 The Council would also wish to stress that the effective management of the implementation of the proposals and the change management required would be key to a successful outcome.
- 5.2 DoE – Planning (paragraphs 26-28)
- 5.2.1 The Council welcomes greater devolution of planning responsibilities to local government as outlined within the Emerging Findings Report and would suggest that this would support a more joined up and responsive approach to addressing local priorities and is vital to allow local government to effectively 'place shape'. Additionally, there is significant potential to integrate local plan development, development control and enforcement with the Council's existing building control and environmental health functions.
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- 5.2.2** Statutory planning is a critical component in the delivery and influence of the broader community planning agenda and the capacity of Councils to make a positive impact on the wellbeing of communities .
- 5.2.3** The Council is concerned with the proposals to introduce a multi-layered planning system through the separation in responsibility for the strategic aspects of Area Plans.
- 5.2.4** This represents a significant change from the original RPA proposals and has the potential to increase the bureaucracy and processes associated with the development plan process and may result in further delays within the system.
- 5.2.5** There is currently no legislation for this form of planning and it could impede the ability of Councils to develop their own coherent plans for their functional areas. This approach is in stark contrast to what has been happening in other parts of the UK in recent years where intermediate spatial planning layers (e.g. Structure Plans previously prepared by Country Councils) have been removed in favour of a system where District Councils develop their own plans within the framework of a Regional Spatial Strategy.
- 5.2.6** The Council would suggest that this intermediate Area Plan layer is unnecessary as it should be quite possible for individual District Councils (providing that they have the necessary critical mass and resources) to develop Local Plans (usually for all of their area) within the framework set by the Regional Development Strategy.
- 5.2.7** The Department of Regional Development (DRD) would remain the lead on the preparation of the over-arching spatial strategy for Northern Ireland (Regional Development Strategy); the Department of Environment (DOE) setting the planning policy framework through Planning Policy Statements, Development Control Advice Notices, etc. Compliance with these policy frameworks, the RDS and the ability of the DoE to call in major applications of Northern Ireland wide significance should strike the right balance between devolved responsibility and the need to work within an overall set of parameters.
- 5.2.8** It is important that any reform introduced alleviates the already complex service delivery maze which exists within Northern Ireland. The fact that it has taken almost seven years to develop the Belfast Metropolitan Area Plan demonstrates the difficulties in the current planning system.

- 5.2.9 In order to inform its response to the RPA 'Further Consultation Document' (September, 2005), Belfast City Council had commissioned a Llewelyn Davies Study to examine the implications of the RPA for Belfast City Council and the Planning Service in Northern Ireland.
- 5.2.10 The report highlights the Glasgow and Clyde Valley region as an excellent example of strategic collaboration between local authorities. In this model the local authorities, rather than the regional government, have taken ownership of the process and formed a Joint Committee in order to produce a single Structure Plan for the whole metropolitan area.
- 5.2.11 The Council would suggest that a similar sub-regional group system of Councils could be put in place within Northern Ireland to support the development and implementation of Area Plans for a wider geographical area with the Regional Development Strategy providing the broader context for area plans and ensure conformity in approach.
- 5.2.12 The transfer of planning functions to local government must achieve a clear separation between those planning activities that are clearly regional in nature and those that could be more effectively carried out by Councils on a group basis. This would align with current structures in place for delivering environmental health, building control and waste management.
- 5.2.13 The role of an effective planning function should be to assist with balancing the overlapping policy objectives within the context of local development. For example, sustainable development is widely agreed to incorporate the promotion of economic development, social inclusion and environmental protection and promotion. There is also a drive at European level to consider health impacts of planning policy and decision-making. Very often, these objectives will be in conflict (e.g., a development that generates economic benefits can create environmental damage or may appear to benefit a prosperous area to the detriment of a poorer one). The presence of all the key local planning activities within the same decision-making body provides the potential for the judgment to be made in a coherent and transparent way.

- 5.2.14** The Council has concerns with the exclusion from transfer of those schemes that have a regional interest, given their potential impact on Belfast, which is the Capital City and employment hub for Northern Ireland. If adopted, the Council would seek a more enhanced statutory consultation role in those planning applications of a regional significance.
- 5.2.15** The Council would suggest that the transfer of planning powers to local authorities provides an opportunity to make efficiency savings and to encourage a more effective deployment of scarce professional resources with greater synergies between environmental health, building control and future proposed contaminated land powers for local government.
- 5.2.16** Annex A of the Emerging Findings Report suggests that there is merit in considering the transfer of planning functions 6 to 12 months after the establishment of the new Council arrangements. The Council would suggest that there is no reason why the proposed planning functions are not transferred at an earlier stage (e.g. during the shadow Council period) and would suggest that consideration should be given to the potential for Belfast to take forward a interim pilot framework.
- 5.2.17** The Council notes the commitment by the Executive in the Programme for Government 'to deliver a fundamental overhaul of the planning system by 2011 to ensure that it supports economic and social development and environmental sustainability'. The Council also notes the commitment given by the Minister for Finance to freeze the domestic regional rate and drive forward greater efficiency in public services. The Council therefore calls upon the Executive to introduce, as part of its review of the Planning Service, new legislation which will enable public services to be resourced through planning gain supplements and notes that such a review has recently been announced by the Prime Minister for England and Wales.
- 5.3** DoE – Built Heritage (paragraphs 26-28)
- 5.3.1** Belfast City Council believes that it is essential that a greater range of responsibilities for conservation and the built environment be delegated to local authorities along with greater planning powers to enable Councils to shape the character of their areas.

- 5.3.2 The Council would highlight that the designation of conservation areas is a responsibility of local authorities in England and Wales and would suggest that consideration be given to the potential transfer of this function to local government in Northern Ireland. The Council would suggest further that the responsibility for both the designation of Areas of Townscape Character and the management and implementation of Conservation Area Character Appraisals would be other enabling tools for local government to ensure the full integration of the protection of the built heritage into area plans and local development plans. Delegation of these responsibilities is interlinked and would ensure that planning decisions could be fully informed.
- 5.3.3 Furthermore, there is potential for local authorities to adopt a greater role in the enforcement of the protection of the built heritage, which already occurs in England through the 1990 Planning (Listed Building and Conservation Areas) Act. This enables the local authorities to carry out urgent works, serve repair notices and to undertake compulsory purchases of listed buildings.
- 5.3.4 The Council welcomes the proposal to formulate non statutory 'local lists' of buildings that are of architectural and/or historic interest. However, further clarity is required on how this will be integrated with the other functions such as the Sites and Monuments Record.
- 5.3.5 The Council has concerns that no resources have been attached to the proposed transfer of heritage related functions and would request that this issue is reviewed to ensure that local government is enabled to deliver the service effectively.
- 5.4 DoE – Waste Management
- 5.4.1 In considering the recommendations regarding the transfer of functions which the DoE has a role, the Council would like to reiterate its previous views with regard to the long-term structural arrangements for waste disposal. The Council has previously taken the position (in responding to the RPA Further Consultation Document (September 2005) that waste treatment and disposal is a specific function which would more effectively and efficiently be delivered on a regional or sub-regional basis.

- 5.4.2** This view was reinforced further within the recent findings report of the Waste Infrastructure Taskforce², which contained legislative proposals to allow for the creation of one or more waste disposal authorities within local Government. It makes no sense to exclude the arrangements for waste disposal from the final decisions on local Government RPA and the Council would endorse the Waste Infrastructure Taskforce's position and would urge Government to facilitate progress in establishing appropriate regional or sub-regional arrangements.
- 5.5** DRD – Local Roads (paragraphs 29-31)
- 5.5.1** Belfast City Council welcomes the proposal to transfer the public realm aspects of local roads to local authorities as these functions would complement the Council's existing control and responsibilities for the maintenance of the public realm.
- 5.5.2** Local control of the roads to enhance the future maintenance and cleansing within local areas is a minimum requirement if Councils are to manage and ensure local environmental quality.
- 5.5.3** Here too, there are close links with the proposed transfer of planning functions to Councils given the fact that the current difficulties in maintaining cleanliness within certain areas have been caused by the design and planning decisions taken in the past. Local control of these issues would enable a holistic approach to be taken to ensuring that planning, design and maintenance of areas are considered at the outset and that design and planning functions are integrated with community needs and priorities and the community planning process.
- 5.5.4** Accordingly, the Council has significant concerns with regard to the retrenchment in transferring responsibility for the maintenance and development of local roads and associated traffic management to local government. The Council does not accept the arguments put forward to justify this decision and would question the costs alluded to within the Emerging Findings Report.
- 5.5.5** Belfast City Council reiterates its previous position that the responsibility for the maintenance and development of local roads and associated traffic management be transferred to Councils (with adequate resources attached)
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to enable them to administer more effective urban regeneration and economic development functions. Local roads have the potential to impact on issues such as community safety, community relations, air quality and health, environmental improvement, neighbourhood renewal and economic development and, therefore, their prioritisation, planning and maintenance must be made within this wider social context.

- 5.5.6 The Council is strongly of the view that roads are much more than engineering solutions and would welcome greater local flexibility being built into the system, within overarching principles, which ensures equality obligations are adhered to. This would allow for the management of difference at the local level. It is important that Elected Members, who are accountable to the public, are involved in determining local road priorities.
- 5.5.7 It is important that the Roads Service reconsider how it currently engages with local government and the Council would recommend that a formalised mechanism is put in place, and resourced accordingly, which would secure greater accountability and engagement between the Roads Service and Councils.
- 5.5.8 There are numerous case studies available which demonstrate the current inflexibility of the Roads Services and the impact which this has had on restricting regeneration activity within towns, cities and neighbourhoods across Northern Ireland. For example, within Belfast City Centre traffic management and parking has become a major area of concern and there is a growing perception that the Roads Service is disconnected from the wider regeneration agenda for the city. Within Newcastle Co. Down, the overly bureaucratic restrictions imposed by the Roads Service had significantly undermined the Councils efforts to take forward the much needed regeneration of the town centre.
- 5.5.9 The Council would suggest that the full suite of traffic management functions (e.g., car-parks, on-street parking, traffic wardens etc.) should transfer to local government to ensure a consistent approach to traffic management within town/city centres.

- 5.5.10 In relation to footpaths and entries, there are many synergies which could be built upon should local roads be transferred, including promotion and regulation of any new 'café society' framework, street trading regulation and alleygating (gating of entries).
- 5.6 DHSSPS – NI Fire and Rescue Service (paragraphs 32-33)
- 5.6.1 Whilst the Council would acknowledge that the Fire and Rescue Service has worked effectively for many years and would commend the level of service provided, it would suggest that there are in fact a number of potential areas of work which may be better integrated at the local level. These include functions such as emergency planning, home safety inspection schemes, workplace health and safety enforcement and the fire preventative aspects of the building regulations.
- 5.7 DHSSPS – Health and Social Care (paragraphs 34)
- 5.7.1 In respect to the potential for an enhanced role for local government in the delivery of health and social care, Belfast City Council welcomes the Ministers consideration of this issue. The Council would contend that local authorities already play a significant role in impacting on the wider determinants of health through the provision of services such as environmental health, leisure and recreation, open spaces, emergency planning, economic development, community development, good relations, sustainable development and community safety. Their activities therefore improve the quality of life of local people through protecting the environment, reducing deprivation, increasing physical activity, addressing social cohesion, etc. The transfer of additional functions such as regeneration, housing regulation, greater economic development powers etc. would greatly enhance local government's ability to improve the quality of life of local people and hence bring about significant health improvement.
- 5.7.2 There is also greater potential for formal relationships to be developed between Councils and the new health structures, however, it is stressed that more thought needs to be given to the operation of this interface in practice and the role of local politicians within it. The question must be asked about the citizen's ability to effectively relate to a Trust with 22,000 staff and a budget of £1.1m (need to check figures) without effective local government input to planning and scrutiny.

- 5.7.3 The Council also considers that there is a need to rationalise some of the significant confusion over the number of partnerships which exist within the health sector, with a view to streamlining these within the context of community planning so that a single vision can be developed and a small number of priorities agreed.
- 5.7.4 The Council believes that whilst responsibility for the delivery of health and social services may rest elsewhere, local authorities have an important scrutiny role to play with regard to monitoring the delivery of health outcomes for local people. Through the community planning process, local authorities should be in a much stronger position to make the necessary link between performance against health service targets and performance against other goals such as education, environmental condition, wealth creation, regeneration, community safety and community relations and to act upon these for the betterment of the health of citizens. In England and Wales, the scrutiny of health services by elected representatives was introduced in part to make the NHS publicly accountable and responsive to local communities and builds on Councils' responsibility for promoting community well-being.
- 5.7.5 The Executive's Investing for Health Strategy recognises that there are a range of social, economic and environmental factors which impact upon the health of communities and citizens and that a joined up approach is needed across government and statutory agencies. It also recognises that those people in the most deprived areas suffer the poorest health. A recent Executive report has demonstrated that the 'health gap' is still increasing between the highest and lowest socio-economic groups and it is clear that this can only be turned around by focusing on those wide range of factors that cause ill health. Therefore it is vital that health improvement and protection is fully integrated with the community planning process.
- 5.7.6 Local government is directly accountable to the public and combined with the proposed new community planning responsibility Councils will be in an appropriate position to co-ordinate the identification of specific local health related priorities and generate joint approaches that meet local needs. Indeed, Belfast City Council is already involved in health development work both directly and in partnership with other agencies through initiatives such as Investing for Health, Belfast Healthy Cities and Health Action Zones.

- 5.7.7** The Review of the Public Health Function carried out by DHSSPS last year recognised the multi-disciplinary and intersectoral nature of public health and made recommendations designed to strengthen the public health function at inter-departmental, departmental, regional, local, community and neighbourhood level. This included enhancing the role of local government. However this work does not seem to have been considered by the Executive Sub-Committee.
- 5.7.8** The review needs to re-emphasise the importance of sustainable communities and the role that local people should have in service planning. Community engagement needs to happen within the framework of community planning to avoid duplications and dissipated effort. Local Councils are ideally placed to join up these engagement processes.
- 5.7.9** In summary, the Council would seek an enhanced role in promoting and protecting and improving local health and quality of life issues and would welcome further discussions with the Department on this and possible local engagement mechanisms.
- 5.8** DSD – Housing Functions (paragraphs 35- 36)
- 5.8.1** The Council is deeply concerned about the proposals not to transfer any housing related functions to local government and would welcome the reinstatement of the initial proposals to transfer urban renewal, Houses in Multiple Occupation (HMO) registration and enforcement; private sector grants; group repair; unfitness and energy conservation functions to local government. This would be a welcomed move and would further enable Councils to improve the performance of their areas and the quality of life and well-being of citizens.
- 5.8.2** The Council would reiterate its previous position that Councils are better placed to regulate housing standards than the Northern Ireland Housing Executive (NIHE) given the Executive's substantial social landlord role. The extensive range of regulatory functions already undertaken by District Councils would enable them to absorb these housing functions efficiently and effectively. District Councils have in place well developed enforcement resources in relation to a range of housing regulation powers and a strong corporate culture of enforcement that is aligned with the 'better regulation' approaches of the Cabinet Office.

- 5.8.3** The long-standing involvement of District Councils in housing regulation appears to have been overlooked. In addition to their obligations under the Public Health Acts to address such matters as poor housing conditions that impact on health, District Councils have recently been given enhanced powers for dealing with unfitness under the Private Tenancy (NI) Order 2006. Councils also deal with issues relating to tenants' rights such as unlawful eviction, harassment, rent books and statement of tenancy terms. In light of this historical involvement in housing functions it is more likely that transferring NIHE's existing regulatory role to District Councils would remove confusion rather than create it. Belfast City Council has for the last 30 years processed repair grants on behalf of the NIHE. There is no reason why this function should not permanently transfer to District Councils and it is arguable that this would assist the NIHE in its central role as a strategic housing authority.
- 5.8.4** In relation to specific aspects of the housing regulation role which should transfer to Councils the argument for transferring HMO regulation is particularly strong. The recently enhanced powers to deal with unfitness in the private rented sector referred to above would sit well with such a transfer as some of the worst conditions are to be found in some of the growing number of HMOs. It should also be noted that the Housing Executive's grant-led approach to HMO control has become increasingly inappropriate and it is now being accepted that much of the sector is capable of achieving acceptable standards without grant support thus facilitating control through regulation.
- 5.8.5** The wide range of local environmental issues associated with high concentrations of HMOs also provides a strong argument for locating regulatory responsibility in the authority that deals with the full range of problems and services at street level. Consequently transfer of HMO control to Councils would be complementary to the proposals to transfer the public realm aspects of roads.
- 5.9** DSD – Urban Regeneration (paragraphs 35- 36)
- 5.9.1** Belfast City Council welcomes the proposals that local authorities should deliver urban regeneration and neighbourhood renewal. The Council believes that introducing a single point of accountability via Councils will provide greater coherence and simplicity in the current fragmented delivery structures.

- 5.9.2** The Council is concerned, however, that the proposed transfer of urban regeneration functions has been caveated on the premise that local government must demonstrate that it is 'fit for purpose' and capable of discharging the functions. The Council seeks clarification on the intended process for assessing the capacity of the local government sector and would suggest that this issue should be considered as part of the wider independent review of regeneration activity being undertaken by the NI Assembly.
- 5.9.3** The Council would question the successes of the Department itself in discharging its regeneration functions and would highlight the disjointed nature in which regeneration activities are currently undertaken within Belfast. The Council would question also the effectiveness of previous programmes and policy interventions by the Department to regenerate deprived communities and city/town centres across Northern Ireland and would make note the recent initiation of an inquiry into town centre regeneration by the NI Executive's Committee for Social Development. The Council is concerned also with the Department's current failings in the mismanagement of the assets of the former Laganside Corporation and the potential to lose the legacy which Laganside had created for the city.
- 5.9.4** Belfast City Council have a proven track record, expertise and experience in developing and implementing comprehensive regeneration projects across the city (e.g., redevelopment of Belfast Gasworks, the Renewing the Routes Programme, the Grove Well Being Centre and the development of the Belfast Waterfront Hall) albeit with limited powers. The Council would highlight the delays and difficulties experienced by the DSD itself in taking forward the redevelopment of the Crumlin Road Gaol and neighbourhood renewal within Belfast. The Council would question what real outcomes have been achieved as a result of the substantial urban regeneration and neighbourhood renewal investment in the city over the past decade and would highlight that Belfast has retained 9 of the 10 most deprived wards in Northern Ireland over this period.
- 5.9.5** In addition to the current proposals contained within the Emerging Findings Paper, the Council believes that local authorities should gain greater compulsory development powers which would enable the Council to acquire and assemble property for regeneration purposes and support

intervention to secure additional investment in deprived parts of the city. This would significantly enhance the Council's role as a key enabler and assist in the strategic planning and co-ordination of neighbourhood renewal and regeneration activity at the local level.

- 5.9.6 The Council has concerns regarding the proposals for the Department to retain responsibility for major development schemes initiated before the transfer date and also taking the lead on strategically important developments within the city. This would result in the Council being excluded from informing and shaping key projects (e.g., the North East and North West quarter development schemes underway within Belfast) which will impact upon the city and the wider region. The Council would seek clarity regarding what would constitute strategic developments and would call for a firm timetable and framework for the transfer of functions to be put in place.
- 5.9.7 In the cases where the Department identifies and retains responsibility for strategic schemes, an appropriate engagement framework must be developed and introduced in partnership with the Council.
- 5.9.8 The Council also notes the commitments made in paragraph 39 of the Emerging Findings Paper, in relation to morale and motivation of staff within DSD. It is a matter of some regret to the Council that the morale and motivation of a particular group of staff from one department has been highlighted as it implies that their morale and motivation is more important than all the staff in the health service, education boards and local government, who are also affected by the change. The Council would wish to comment that perhaps a possible option to resolve this issue is to consider whether staff should transfer at all, but rather to allow natural turnover and then let Councils staff up their own sections. A further alternative could be that only those staff who wish to transfer should be transferred using the same method as the Invest (NI) transfer.
- 5.10 Community Development (Annex A of Emerging Findings Paper -Transfer of Functions)
- 5.10.1 Within Annex A, under DSD, it is stated that Councils would gain some responsibility for community development and support for the voluntary sector. The Council would seek further clarification on what this would

incorporate and the resources attached. Belfast City Council already contributes significantly to supporting community development within the city and would welcome any functions which would complement its current activities.

5.11 DETI – Local Tourism (Annex A of Emerging Findings Paper -Transfer of Functions)

5.11.1 The Council welcomes the proposal to extend the role of local authorities in the management and development of local tourism given its significant contribution to the revitalisation, vitality, economic prosperity and competitiveness of local areas.

5.11.2 However, the Council is disappointed in the limited proposals put forward and the fact that many of the transferring functions are already delivered by Councils and that there is a limited, or no, budget attached to the transferring functions. The Council feel that this is a missed opportunity to think more strategically about tourism development and marketing across the region.

5.11.3 The Council would suggest that appropriate mechanisms need to be put in place to support a more effective relationship/partnership between DETI, Invest Northern Ireland, the Northern Ireland Tourist Board and the Council to secure greater alignment of activities.

5.11.4 Belfast City Council already supports tourism development within the city through marketing initiatives and infrastructure development projects such as the Belfast Visitor and Convention Bureau and Welcome Centre, as well as through the organisation and promotion of key events which attract tourism into the city.

5.12 DETI – Local Economic Development (Annex A of Emerging Findings Paper)

5.12.1 Belfast City Council believes that local authorities should be central to the delivery of enhanced Local Economic Development (LED). LED programmes should aim to strengthen and reinforce good governance and respond effectively to the needs of local citizens. Retaining this authority at a local level would enable local authorities to respond to opportunities and realise economic gains which are not always possible through a regional economic policy framework.

- 5.12.2 Since the early 1990s Councils have delivered a range of LED Programmes funded jointly through rates and European monies. Many of these programmes have contributed substantially to more competitive local economic environments. Given this proven track record, enhanced responsibilities for the delivery of local economic development initiatives should rest with local authorities.
- 5.12.3 It is our view that, since the success of the local economy is critical to the vitality and success of the local region and since local authorities appear to be best placed to identify and address local needs and to act as a catalyst between sectors, they should have greater responsibility for LED.
- 5.12.4 In order to support the local economic development, strategic planning and community planning functions of local authorities, Belfast City Council would suggest that the property land bank of Invest Northern Ireland (INI) should transfer to Councils. Local government acknowledge the importance and value of INI's inward investment role and will wish to make provision for the property requirements of inward investment companies, in consultation with INI. However, there are many areas in which land currently reserved for INI client companies could be put to good use by local companies without eroding the Region's ability to host major inward investments. Obviously any land transfer should be subject to an overall land use policy, overseen by the DETI, being put in place.
- 5.12.5 The Council would highlight the fact that the management of industrial areas and the development of the local SME sector have not been considered within the current proposals and would suggest that both functions would greatly contribute to the economic development role of Councils. The Council would also call for the evaluation of the Renewing Communities Fund to ensure that it will continue to exist.
- 5.13 DCAL – Arts Council for Northern Ireland (Annex A of Emerging Findings Paper)
- 5.13.1 Whilst £1.7 Million of local arts funding has been designated to transfer to local government, there is, as yet, no clear definition of what local arts encompasses and, therefore, a lack of clarity on the responsibilities being transferred.

- 5.13.2** Belfast City Council could effectively handle the funding of a much wider range of local arts organisations, artists and community organisations undertaking arts activities. The role of Belfast as a cultural centre and the concentration of both local and regional focused culture and arts organisations within the city needs to be taken into consideration when allocating the transferring budgets/resources. The Council has concerns that no staff resources have been identified for transfer.
- 5.14** DCAL – Northern Ireland Events Company (Annex A of Emerging Findings Paper)
- 5.14.1** The proposed transfer of the Community Festivals Fund is welcomed; however, the absence of any transferring staff to support the delivery of this function is of concern. Also, Belfast City Council is capable of delivering much more than the Communities Festival Fund, given the proven track record and capacity of the Council in supporting the delivery of regional significant projects.
- 5.15** DCAL – Northern Ireland Film and Television Commission (Annex A of Emerging Findings Paper)
- 5.15.1** There is no reference made within the Emerging Findings Report to Screen NI and the funding attached to supporting local community film and television and educational development activities. The Council would suggest that such functions could be more appropriately administered at a local level through local government.
- 5.16** DCAL – Library function (Annex A of Emerging Findings Paper)
- 5.16.1** Belfast City Council believes that it is essential, when thinking about the future of the public library service, to agree what role we expect the libraries of tomorrow to perform. The Council is committed to the view that successful libraries are not simply about a formal academic understanding of education, they contribute to improving quality of life through the provision of a combination of education, social, cultural, health and general information opportunities for local people. As such, libraries are potentially invaluable as a means of promoting both learning and social outcomes which will be set as part of any community planning process. Therefore, giving Councils responsibility for the delivery of local libraries would go some way to ensuring that they have not only the power to plan but the ability to deliver on targets set through the community planning process.

- 5.16.2 Library provision in other parts of the UK and the Republic of Ireland is, in general, the responsibility of local Councils. In its guidelines for the delivery of an inclusive public library service, the Department of Culture, Media and Sport (DCMS) in Great Britain emphasised the essential link to community planning: ‘...so that the contribution of libraries to the broader priorities of local communities is identified and integrated with other service provision...’. The Council would recommend that greater consideration be given to the development of more innovative and modern models (e.g. public service centres such as the Grove Well-Being Centre currently being developed in North Belfast³) which encourage greater integration in public service provision.
- 5.16.3 The Council would be supportive of the transfer of responsibility for public libraries to local government. However, this view comes with a strong caveat; that sufficient investment should be made in the service to bring it up to a standard that will allow the service to fulfil its potential for improving the quality of life of local people.
- 5.17 DARD – Rural Development Programme (Annex A of Emerging Findings Paper)
- 5.17.1 The Council would also recommend that in order to ensure that a consistent approach to local enterprise development is maintained, the diversification programme currently managed by the [Department of Agriculture and Rural Development \(DARD\)](#) should transfer to relevant Councils. This would support a more consistent approach to new enterprise support across the region. District Councils, or their appointed agent, would be the one-stop-shop for new business development. Training and business support for farmers should also be provided through Councils who can assure a broader rather than an agricultural based service. Adding value to farm produce through product development and marketing support could also be best provided as part of the economic development role of rural Councils.
- 5.18 OFMDFM (Annex A of Emerging Findings Paper)
- 5.18.1 The Council believes that the consideration being given by the [Office of the First Minister and Deputy First Minister \(OFMDFM\)](#) to the possible extension of local government responsibility for Civil Contingencies arrangements and for
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Good Relations Plans and Strategies as part of the community planning process is essential. Additional powers and responsibilities in both of these areas would further support much of the good work already achieved by local authorities in these areas.

5.19 Licensing (paragraph 42)

5.19.1 Paragraph 42 of the report states that the Minister for Social Development is 'giving consideration to moving responsibility for certain licensing regimes, including liquor licensing, to Councils.' It should be noted that in its response to the Government consultation on liquor licensing launched in November 2005, the Council opposed the transfer of liquor licensing to Councils and would retain this position.

5.20 DEL – Youth Service (Annex A of Emerging Findings Paper)

5.20.1 Belfast City Council believes that there is considerable affinity between youth services and other services currently delivered by local authorities such as community development, community safety, sport, leisure and addressing anti-social behaviour.

5.20.2 If community planning and neighbourhood renewal is to be dealt with at a local level, youth services are an integral part of this process. A recent public consultation survey carried out by Belfast City Council indicated that the most compelling issues of concern to local residents are anti-social behaviour, youth causing annoyance and having enough activities for kids to participate in. In fact, 23% of respondents had identified antisocial behaviour as the worst aspect associated with living within Belfast. The fact that Councils are leisure and recreation providers, have responsibility for community safety, community development and local enforcement regulations, provides a compelling case for outreach youth services to be located within local authorities.

5.20.3 The review provides an opportunity for youth services to be aligned with a range of other activities which the Council undertakes and the transfer of this service would allow it to be better integrated within the wider issue of community planning and enable Local Government to engage young people in the management of anti-social behaviour and community safety issues. In other words, it would result in a more responsive and co-ordinated support service.

5.20.4 The Council accepts that the youth service needs to have a regional dimension and, of course, it needs to tie in with the education service, but most fundamentally, it needs to be delivered locally to tackle some of the real issues that people experience including the need to engage young people in the management of anti-social behaviour and community safety issues.

5.20.5 Belfast City Council currently run a number of specific programmes targeted at young people between the ages of 0-25 years of age, some examples of which are outlined in the table below:

Age group	Type of service
0-5	<ul style="list-style-type: none"> <input type="checkbox"/> Pre-school playgroups <input type="checkbox"/> Community development support for parent and toddler groups <input type="checkbox"/> Use of facilities for crèche and sure start projects
5-11	<ul style="list-style-type: none"> <input type="checkbox"/> After school clubs <input type="checkbox"/> Junior Youth Groups <input type="checkbox"/> Cross-community projects <input type="checkbox"/> Specialist projects (for example – drama project, girls group) <input type="checkbox"/> Seasonal playschemes and summer schemes
12-18	<ul style="list-style-type: none"> <input type="checkbox"/> Youth clubs <input type="checkbox"/> Seasonal playschemes <input type="checkbox"/> Specialist projects (for example – drama project, girls group) <input type="checkbox"/> Education projects (for example – health, drugs awareness) <input type="checkbox"/> BCC Youth Forum <input type="checkbox"/> Sail Training Programme
18-25	<ul style="list-style-type: none"> <input type="checkbox"/> Drop in facilities <input type="checkbox"/> Education projects (for example – health, drugs awareness, computer classes)

- 5.20.6** The Council believes that a successful youth service has the ability to positively impact upon other policy agendas and can be used as an effective means to engaging local people in, for example, community safety and addressing anti-social behaviour initiatives. This would contribute to the overall success of such initiatives through encouraging ownership and a greater sense of social responsibility among young people on such issues. We believe that Councils are in a better position to make the necessary links between cross-cutting programmes than a more centrally located youth service.
- 5.20.7** Local authorities have a clear appreciation and knowledge of local priorities and concerns and, therefore, could provide a more responsive and targeted youth service. It should be noted that addressing the needs and concerns of young people within the city is high on Belfast City Council's agenda and it has already designated 'youth champions' (consisting of representatives from all political parties and relevant Council departments) to address youth related issues. The Council would suggest that the transfer of responsibility for youth services to local authorities would enable the Council to complement any ring-fenced funding through the utilisation of its own assets and resources to provide a more enhanced service.
- 5.20.8** Again, the Council is concerned at the lack of funding and adequate resources for youth services across Northern Ireland and would predicate its wish to accept responsibility for youth services upon this situation being thoroughly reviewed and addressed
- 6.0** Costs and Staff (paragraphs 43-46)
- 6.1** The Council would suggest that any cost benefit analysis undertaken regarding greater decentralisation should be considered within the context of the potential efficiencies to be gained through the integration of services at the local level through Councils and the ensuing potential to rationalise assets.
- 7.0** Community Planning (paragraphs 47-48)
- 7.1** The intention to give Councils Community Planning responsibilities along with the power of Well-Being is most welcomed and the Council would agree with paragraph 18 of the Emerging Findings Report which acknowledges that

'..Councils needed to have a certain critical mass of services if they are to fulfil their proposed leadership role in the community planning process'. As noted previously, Belfast City Council is concerned that the current functions being proposed for transfer would enable community planning to be implemented effectively, if at all by Councils.

- 7.2 The Community Planning process is central to the model of the local government/central government relationship set out in both the original RPA findings and in the Emerging Findings Report. The Council has considerable reservations about the deliverability of the community planning approach with the limited set of functions which are now proposed for transfer and is clear that effective delivery of community planning will require both strong commitment by Ministers and a statutory duty on all public sector bodies to participate in the community planning process and to deliver on agreed outcomes.
- 7.3 The effective development and delivery of community plans can only be achieved through a strong partnership between central and local government. The principle of subsidiarity, which has been accepted by the Executive, recognises that decision-making should be at the level which is closest to the community. This requires:
- an agreed regional and local vision;
 - civic leadership provided by the local council;
 - the development of a community plan;
 - integrated and effective delivery mechanisms at the local level;
 - committed delivery by other public sector bodies on agreed outcomes; and
 - clear and effective accountability mechanisms.
- 7.4 If Community Planning is to work effectively, the Council would suggest that a comprehensive performance management framework is needed which jointly holds a range of agencies to account. In GB, Local Area Agreements and the proposed Comprehensive Area Assessment (CAA) will perform this function, and it is considered mechanisms such as this should be considered for Northern Ireland. CAA will provide assurance about how well run local public services are and

how effectively they use taxpayers' money. But it also aims to be relevant to local people by focusing on issues that are important to their community. It will develop a shared view about the challenges facing an area, such as crime, community cohesion, a sustainable environment or public health issues, and will also create a more joined-up and proportionate approach to public service regulation.

- 7.5** In considering the introduction of Community Planning and the power of Well-Being, the Council would suggest that a Government supported pilot programme should be implemented within Belfast given its critical mass, the concentration of service providers, the existence of a substantive infrastructure and partnership networks already in place, all of which would support the effective rollout of a community planning framework. The implementation of such a pilot would enable lessons to be learned, would help refine the process and create an acceptable Community Planning framework. It would also be fundamental to supporting capacity building within the sector and in securing the longer-term success of Community Planning
- 8.0** Council Numbers (paragraph 13-17)
- 8.1** The Council acknowledges that one of the main issues which is still to be addressed is the number of District Councils and would suggest the ability of Local Government in general to undertake additional functions will depend upon the Council's critical mass, wealth base and the income which can be generated from the ratepayer.
- 9.0** Council Governance (paragraph 49)
- 9.1** The Council accepts the need to ensure that all future arrangements should be based upon a comprehensive and robust set of legal checks and balances which provides the framework for good corporate governance and ensures that the duties of local authorities are carried out in an equitable and effective manner. Again, however, it is important to stress that any new framework also needs to consider holding other agencies responsible for delivering the community plan, to account, not just Councils.
- 10.0** Modernisation Programme (paragraphs 50-51)

- 10.1 Despite any delays in the RPA process which may emerge over the coming months or changes introduced as a result of the NI Executive's Review, Belfast City Council is fully supportive of the urgent need to develop and implement a comprehensive and properly resourced modernisation programme for local government. The Council looks forward to working with the NI Executive and its Departments in rising to this challenge and would seek further discussions and engagement regarding the proposed development and administration of a challenge fund."**

The Chief Executive outlined the main proposals which were contained within the Emerging Findings report and the Council's proposed response thereto. He highlighted the functions which it was proposed would transfer to Local Government, together with the associated staffing and financial implications. He pointed out that, following a five-year process, the Emerging Findings paper, with the exception of the transfer of some Planning functions, did not provide for significant additional functions to be undertaken by Councils. Accordingly, he commended to the Committee the proposed response to the report which provided a detailed and robust argument for the transfer of additional functions in order to enable Councils to fulfil their community planning role and to deliver joined-up local public services.

During discussion in the matter, the Members made the following points:

- the Emerging Findings Report was not a credible document. It did not take Local Government seriously and lacked an acceptance of the ability of Local Government to affect the lives of the people in the communities it was elected to serve;
- the Executive should recognise the democratic legitimacy of Local Government and its commitment to citizens – the Sector was best placed to identify areas of concern and those issues and functions which the public wished to be dealt with at a local level;
- the functions and staff which were proposed to transfer to Local Government were of such a limited scale that, if these were not extended, little purpose would be served in proceeding with the proposals;
- the Council should defend the ability of Local Government to undertake additional functions and should seek to augment the powers it had currently;
- there was a need for politicians to provide direction to civil servants and the Assembly Departments with regard to the powers which should be transferred to Local Government;

- there was a need for some sort of structure to be established which would allow Local Government to interface with the new Bodies which had been set-up to deliver the health and social care and education functions, thus enabling the Local Government Sector to have more input into and influence on policy issues in those areas at both local and regional level;
- to enable Councillors to properly represent constituents, there was a need for further planning functions to be transferred in addition to those which were proposed in the Findings report;
- the Council's recent public consultation exercise had highlighted anti-social behaviour as an issue of concern. The review provided an opportunity for youth services to be aligned with a range of other activities which the Council undertakes and the transfer of this service would allow it to be integrated within the wider issue of community planning and enable the Local Government sector to engage young people in the management of anti-social behaviour and community safety issues;
- some of the functions which it was proposed to transfer and some of those which the Council was advocating to be transferred were underfunded. Therefore, it would be important to ensure that Central Government made available sufficient funds to address the shortfalls in order to ensure that the Local Government sector could deliver those functions at the level at which the citizens expected;
- with regard to urban regeneration, the Department for Social Development is to reserve the right to see through to fruition any major schemes initiated before the relevant transfer date. Given that a number of major schemes are due to be undertaken in Belfast which could take up to ten years to develop, this would have an adverse impact on the Council's role in promoting urban regeneration and would exclude the Council from informing and shaping key projects. This issue therefore, would, need to be pursued and clarified with the Department;
- one of the main issues which still required to be addressed was the issue of the number of District Councils. The ability of Local Government in general to undertake additional functions will be dependent upon the District Council's critical mass, wealth base and the income which could be generated from the ratepayer.

The Committee approved the Council's draft response to the Review of Public Administration Emerging Findings report and endorsed the composite response which had been prepared by the Northern Ireland Local Government Association and the Society of Local Authority Chief Officers Chief Executives, subject to the inclusion of the points mentioned.