



## Belfast City Council (Shadow)

<b>Report to:</b>	<b>Shadow Planning Committee</b>
<b>Subject:</b>	Establishment of Shared Environmental Service
<b>Date:</b>	19 <sup>th</sup> February 2015
<b>Reporting</b>	John McGrillen, Director of Development
<b>Contact officer:</b>	Keith Sutherland, Urban Development Manager, ext. 3578

<b>1.0</b>	<b>Relevant background information</b>
<b>1.1</b>	On 1 <sup>st</sup> April 2015 a range of planning functions will transfer from Department of the Environment (DoE) to the council. The more specialised functions in relation to environmental services were to be considered on the basis of a shared services approach due in part to the difficulty in maintaining service provision whilst disaggregating the functions across 11 council clusters.
<b>1.2</b>	On transfer of the suite of local planning functions to local government the 11 councils will have responsibility for: Habitats Regulations Assessments (HRA) on planning applications; HRA for the preparation of Local Development Plans; and the consideration of the implications from development on European Sites (e.g. Special Areas of Conservation and Special Protection Areas).
<b>1.3</b>	The Shared Environmental Service (SES) model for was agreed by the Regional Transition Operational Board to be a suitable model to support local councils in carrying out these functions. The Mid & East Antrim Council offered to host the Service, on behalf of councils, subject to further consideration of service objectives and functions alongside the potential resourcing.

<b>2.0</b>	<b>Key issues</b>
<b>2.1</b>	The Mid and East Antrim Council has now confirmed that it is willing to host the Shared Environmental Service for local councils and has provided details of the proposed objectives and functions of the service (see Appendix 1). It is proposed that the specialist SES team will provide expert advice and support to all the new councils from a base in County Hall Ballymena.
<b>2.2</b>	The primary role of the SES team will be to carry out Habitats Regulations Assessments on planning applications and during the preparation of Local Development Plans to assess and advise on impacts on European Sites (e.g. Special Areas of Conservation and Special Protection Areas). This function is essential to ensure that legal requirements in respect of these Habitats / Sites are fully met and to reduce the risk of

	challenge to planning decisions, development plans and policies.
<b>2.3</b>	The DoE have confirmed that the full costs for delivery of the Service will be transferred to Mid & East Antrim Council. This means that there will be no ongoing cost to Belfast City Council in relation to the use of the shared services outlined in the appended letter.
<b>2.5</b>	In order to progress the preparations for the delivery of this service Mid & East Antrim Council are seeking agreement in principle that Belfast City Council will utilise the Service. The final agreement would be subject to the preparation of a Service Level Agreement to formalise the terms of delivery and governance arrangements for the service.
<b>2.6</b>	I would seek the agreement of your Council, in principle, to this Shared Service Model. I would ask you identify a Liaison Officer from your Planning Service to work on a draft Service Level Agreement which will be presented to your Council in the next number of weeks.
<b>2.7</b>	As highlighted in the appended letter this is an important function in ensuring that risks are reduced whilst the legal requirements associated with planning decisions, development plans and policies are fully met. It is therefore suggested that the Committee agrees to support, in principle, this Shared Service proposal This agreement would be subject to the preparation of a Service Level Agreement that sets out the required delivery and governance arrangements for the service.

<b>3.0</b>	<b>Resource Implications</b>
<b>3.1</b>	There are no cost implications associated with this report.

<b>4.0</b>	<b>Equality and Good Relations Considerations</b>
<b>4.1</b>	There are no equality or good relations implications identified at present.

<b>5.0</b>	<b>Call In</b>
<b>5.1</b>	N/A

<b>6.0</b>	<b>Recommendations</b>
<b>6.1</b>	It is recommended that the Committee supports, in principle, the Shared Service proposal detailed in Appendix 1 subject to the preparation and agreement of a Service Level Agreement with Mid & East Antrim Council.

<b>7.0</b>	<b>Decision Tracking</b>
<b>7.1</b>	A further readiness report will be brought in March.

<b>8.0</b>	<b>Documents Attached</b>
	Appendix 1 - Readiness Assurance report

<b>9.0</b>	<b>Abbreviations</b>
	HRA - Habitats Regulations Assessments SES - Shared Environmental Service

## Appendix 1: Letter from Mid and East Antrim District Council

# Mid and East Antrim District Council

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Ref: TC/ab

Date: 10 February 2015



**THE BRAID**  
BALLYMENA TOWN HALL,  
MUSEUM & ARTS CENTRE

1 – 29 Bridge  
Street  
Ballymena  
Co Antrim  
BT43 5EJ

Dear Chief Executives

### **Re: Establishment of Shared Environmental Service**

I am writing to confirm that Mid and East Antrim Council agreed in January to host the Shared Environmental Service for local government. In order to support planning for the delivery of this service it would be helpful if you could confirm, in principle, if your Council will utilise the Service. I have included further details of the objectives and functions of the service below and I am happy to clarify any other queries which you may have. Preparation of a Service Level Agreement between Mid and East Antrim and the other Councils is underway to formalise the terms of delivery and governance arrangements for the service.

### **Background**

The Shared Environmental Service model was agreed by the Regional Transition Operational Board to be a suitable model to support local Councils to meet their legal obligations relating to their enhanced environmental responsibilities arising from the transfer of planning responsibilities to local government. Mid and East Antrim offered to host the Service, subject to the approval of its Council, which has now been granted.

### **Overview of the Shared Environmental Service (SES)**

The SES, which will be based in County Hall Ballymena, will comprise eight specialist staff to provide expert advice and support to Councils. Its primary role will be to carry out Habitats Regulations Assessments on planning applications and during the preparation of Local Development Plans to assess and advise on impacts on European Sites (e.g. Special Areas of Conservation and Special Protection Areas). This function is essential to ensure that legal requirements are fully met and to reduce the risk of challenge to planning decisions, development plans and policies. The full costs for delivery of the Service will be transferred to Mid and East Antrim Council from DOE and DFP; therefore there will be no costs to Councils to utilise the service.

The Head of Service, Susanna Allen, is in place and selection of the remaining staff from the NI Environment Agency is close to completion. The Service will be fully staffed, trained and ready to commence delivery on 1 April. Work is ongoing with planners to detail the process of service delivery. An overview of the objectives and functions of the Service follows.

## Objectives of the Shared Environmental Service

1. Support Councils to comply with Environmental Legislation in relation to European sites in carrying out their Development Management functions.
2. Support Councils to comply with Environmental Legislation in relation to European sites throughout the preparation of Local Development Plans.
3. Minimise the extent of challenge on Development Management determinations and Local Development Plans in relation to impacts on European sites.
4. Support Councils by presenting expert evidence about impacts on European sites in relation to development planning.
5. Provide advice in a timescale that supports planning decisions to be made within statutory requirements and performance targets.

## Functions

The Shared Environmental Service will:

- A. advise planning staff on implementation of the Habitats Regulations Assessments (HRA) in respect of Development Management and will confirm any survey requirements for HRAs.
- B. carry out Appropriate Assessments (stage 2 of HRA) on behalf of Councils for all planning applications for which they are required.
- C. assess and advise Councils on potential impacts of planning applications on Areas of Special Scientific Interest (ASSI) for those European Sites which are also ASSIs.
- D. advise Councils on European Site considerations for Environmental Impact Assessments (EIA) to include the adequacy of data to inform impacts on European Sites for EIAs and advice on Environmental Statements in relation to European Sites.
- E. advise Councils on European Site considerations for Pre-Application Discussions (PAD) and attend PAD meetings where necessary.
- F. support Councils throughout the preparation of Local Development Plans (LDP) carrying out the HRA to include sourcing baseline data, informing preferred options, initiating HRA at Plan Strategy stage, revising during the LDP process and finalising prior to adoption of the Local Policies Plan.
- G. make recommendations on environmental data required by councils.
- H. provide standing advice, capacity building and additional site/office based advice to councils to councils in relation to European site.

I would seek the agreement of your Council, in principle, to this Shared Service Model. I would ask you identify a Liaison Officer from your Planning Service to work on a draft Service Level Agreement which will be presented to your Council in the next number of weeks.

Yours Sincerely



**Anne Donaghy**  
**Clerk & Chief Executive**