



**Belfast City Council**

<b>Report to:</b>	Strategic Policy and Resources (Transition) Committee
<b>Subject:</b>	Review of Public Administration Update
<b>Date:</b>	7 <sup>th</sup> August, 2009
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<b>1.0</b>	<b><u>Relevant Background Information</u></b>
1.1	The RPA is now entering into a critical stage whereby necessary far-reaching and enabling legislation is being drafted and issued for consultation to enable the planned local government reform to take place by May 2011; outstanding policy and HR related issues are being worked through; revised delivery structures put in place for the purpose of preparing for, and giving full affect to, the reorganisation of local government and the establishment of the 11 new councils. The focus of the RPA is rapidly moving into implementation phase.
1.2	Since the last update provided to the Committee in June, there has been important developments in the RPA programme which Members need to be made aware of as they will inevitably impact upon how the local government reform and RPA transition process will be taken forward.
1.3	Members will note that, as agreed by the Committee at its meeting on 19 <sup>th</sup> June, an RPA Workshop has been scheduled for 17 <sup>th</sup> August @ 10am in Malone House. The purpose of the workshop is to explore the key issues which need to be addressed as part of the RPA transition process (a number of which are set out within this report) consider the roles and responsibilities of the Council's RPA Transition Committee (i.e. SP&R) and Transition Management Team in leading this process; and explore potential options in regard to the future engagement with the Transition Committee representing Lisburn and Castlereagh.
<b>2.0</b>	<b><u>Key Issues</u></b>
2.1	<b><u>Legislative Timetable</u></b>
2.1.1	The key driver over the next number of months will be the legislative timetable and the need to ensure that the Council is geared up and prepared to engage within this process (a copy of the legislative timetable is attached at <b>Appendix 1</b> ).
2.1.2	There have been three major RPA related consultation papers released in July which the Committee (as the Councils Transition Committee) will need to consider and respond to. These include:
	<p><b>1. Local Government (Miscellaneous Provisions) Bill – refer to Agenda Item Agenda Item 2 (b)</b></p> <p>This Bill makes legislative provisions for the following:</p> <ul style="list-style-type: none"> <li>▪ to clarify the powers of district councils to enter into long-term service contracts with the private sector</li> <li>▪ to enable councils to vest land for waste management purposes</li> <li>▪ to enable the Department of the Environment (DOE) to issue directions to existing councils as a means of control, so that in the lead up to reorganisation, councils will not be able to dispose of land or enter into capital contracts above specified values</li> <li>▪ to enable the DOE to make regulations for the establishment of statutory transition committees for new councils, including regulations for the appointment of members to the committees, the functions of the committees, and the procedures to be followed by the committees</li> </ul>

	<p><b>2. Reform of the Planning System in Northern Ireland’ - refer to Agenda Item Agenda Item 2 (c)</b></p> <p>Sets out proposals for the reform of the planning system in Northern Ireland in the medium to longer term. Far-reaching and will impact upon almost every aspect of the planning system, combined with the transfer of responsibility for the majority of the functions to councils in 2011</p> <p><b>3. The Draft Local Government (Finance) Bill –copy attached at Appendix 2</b></p> <ul style="list-style-type: none"> <li>▪ The Bill seeks to modernise the legislative framework for the finances of district councils and, in particular, proposes the introduction of a prudential regime of capital finance to ensure that finances are managed carefully as possible; giving councils more responsibility for the management of their own financial affairs through the removal of the need to obtain the prior approval of the DoE in most instances; and the introduction of new powers including the power to invest.</li> <li>▪ <b>Given the fact that the Bill has only been released, it would be the intention that a draft response to the consultation document will be submitted for the consideration of the Committee at its meeting on 26<sup>th</sup> September 2009.</b></li> </ul>
2.2	<p><b><u>Boundary Commissioner’s Final Recommendations Report</u></b></p>
2.2.1	<p>Members will be aware that the Local Government Boundary Commissioner’s Final Recommendations Report was published on the 26<sup>th</sup> June 2009 setting out his recommendations in regard to the new 11 District Council areas (copies of which has been circulated to members directly from the Boundary Commissioner). In terms of the Belfast position, the report currently recommends:</p> <ul style="list-style-type: none"> <li>▪ that the new Belfast local government district should incorporate the whole of the existing Belfast district as currently defined, together with parts of the current Castlereagh, Lisburn City and North Down districts.</li> <li>▪ From the area of the existing <u>Castlereagh district</u>, I recommend that the localities of Tullycarnet, Gilnahirk, Braniel, Hillfoot, Merok, Cregagh, Wynchurch, Glencreagh, and Belvoir should be incorporated in the Belfast district.</li> <li>▪ From the area of the existing <u>Lisburn City district</u>, I recommend that the localities of Collin Glen, Poleglass, Lagmore, Twinbrook, Kilwee and Dunmurry should be incorporated in the Belfast district.</li> <li>▪ From the area of the existing <u>North Down district</u>, I recommend that a relatively small area of housing at Cedar Grove, Knocknagoney should be incorporated in the Belfast district.</li> </ul>
2.2.3	<p>In term of next steps, the Department of the Environment and Minister will now consider the Final Recommendation Report before seeking agreement with both the Executive and the NI Assembly on a draft Order giving effect to the Commissioner’s recommendations, with or without modifications. If modifications are proposed, a statement must be prepared outlining the reasons for the modifications and laid at the same time as the draft Order. The draft Order must be debated by the Assembly and, if approved, is made and takes effect at the next local government election.</p>
2.3	<p><b><u>Meeting of the NI Executive Sub-Committee</u></b></p>
2.3.1	<p>A meeting of the Local Government Reform Executive Sub Committee, which comprises of the Environment Minister and his Ministerial Colleagues responsible for transferring function Departments, had been scheduled for 20<sup>th</sup> July 2009 to consider and provide Ministerial direction in regard to the following outstanding issues:</p> <ul style="list-style-type: none"> <li>▪ the integration of work between councils and departments on Community Planning;</li> <li>▪ transfer of NICS staff to Local Government;</li> </ul>

	<ul style="list-style-type: none"> <li>▪ implementation funding; and</li> <li>▪ the finalisation of arrangements for transferring functions.</li> </ul> <p>Unfortunately, this meeting did not take place and will be reconvened for early September.</p>
2.4	<b><u>Update on the work of the Policy Development Panels</u></b>
2.4.1	Whilst work is continuing on the three Policy Development Panels (PDP) to finalise any outstanding policy related issues, this is being taken forward in the absence of any firm decisions being taken in regard to the aforementioned issues.
2.4.2	One particular area to note is the emerging policy proposals in regard to how Community Planning will be taken forward. Members will be aware that Policy Development Panel A had been charged with bringing forward policy proposals to shape the legislation and statutory guidance in regard to Community Planning. To this end, PDP A established a Community Planning Sub Group (including the Council’s Director of Development) to take this forward.
2.4.3	The sub-group has raised early concerns in regard need to attract resources to support the development and roll-out of community planning. To this end the working group has been engaged in initial discussions with SEUPB with the view to testing if there is any scope to make a funding bid through PEACE III Measure 2.2. <i>“Developing key institutional capacities for a shared society”</i> .
2.4.4	In order to enable the submission of a funding bid, Liam Hannaway, Chief Executive of Banbridge District Council and Chair of the Community Planning Sub-Group, has written to all local government Chief Executives (copy of correspondence received is attached at <b>Appendix 3</b> ) seeking agreement by each Council to issue a letter of support for such a funding bid .
2.4.5	Accordingly, Members are asked to consider the request for support and agree in principle subject to further consultation and agreement with the Council on the detail of the submission.
2.5	<b><u>Review of Local Government Reform Organisational Structures</u></b>
2.5.1	Members will note that a review is currently underway of the established RPA structures (i.e. SLB, PDPs and RTCG. The review will, inter alia, make recommendations on appropriate structures and governance arrangements for securing greater integration between the policy development and implementation phases of the local government RPA reform programme.
2.5.2	The review is being taken forward by a Joint Secretariat Team comprising officers from NILGA and the Department of the Environment and supported by Dr Bill Smith, Senior Research Fellow with the Institute of Governance, Public Policy and Social Research at Queen’s University Belfast. The Chair of SP&R had attended a workshop as part of the stakeholder engagement exercise undertaken as part of the review.
2.5.3	Without pre-empting the outcome of the review, it is likely that the proposals put forward will result in a greater direct involvement of Transition Committees in driving forward the overall RPA implementation process.
2.6	<b><u>Engagement with Lisburn/Castlereagh Transition Committee</u></b>
2.6.1	Members will note that confirmation is still to be received from the Lisburn/Castlereagh Transition Committee in regards to the request for a joint meeting with the Chair, Deputy Chair and Party Group Leaders on Belfast’s Transition Committee (i.e. SP&R). This has been delayed as a result to the recent change in the Chair of the Lisburn/Castlereagh Transition Committee with Councillor Edwin Poots (outgoing Chair) taking up post as the Minister for the Environment and being replaced.

	The purpose of the meeting is to identify and discuss those transitional issues of mutual concern which need to be addressed and to explore how such issues could be taken forward through formal engagement between both Transition Committees.
2.7	<b><u>Establishment of HR Joint Forum</u></b>
2.7.1	Clearly there a number of very important HR related matters which need to be progressed as a matter of urgency (e.g the introduction of vacancy controls; process for filling posts in new organisations; staff transfers schemes; staff severance) with greater clarity required in regard to how and when such critical issues are to be addressed.
2.7.2	Whilst the Public Service Commission has released a series of Guiding Principles around such issues, a new HR Local Government Reform Joint Forum has been recently established (comprising of representatives from the Employers and Trade Union Sides) to take forward detailed consideration and negotiation on HR matters and to develop detailed guidance on how councils and Transition Committees should address such issues in the lead up to the RPA. Both Cllr Tom Hartley and the Director of Corporate Services are represented on this Forum nominated by the Joint National Council (JNC) and Northern Ireland Joint Council (NIJC) respectively. A copy of a communications bulletin recently released by the Joint Forum is attached at <b>Appendix 4</b> ).
2.8	<b><u>Assessment of Options for Local Government Service Delivery</u></b>
2.8.1	As Members will be aware, PricewaterhouseCoopers were appointed by the DoE to consider potential options for future local government service delivery (as part of Phase I of their work) and to undertake a detailed economic appraisal of the emerging options (as part of Phase II).
2.8.2	<p>Phase I of the PwC work is now complete and has been agreed by the Strategic Leadership Board on 3<sup>rd</sup> July (copy of summary proposals are attached at <b>Appendix 5</b>). The report promotes the need to adopt a design lead approach to future local government service delivery and recommends that:</p> <ul style="list-style-type: none"> <li>• there is no ‘one size fits all’ model – the new councils need to be designed to address the needs and preferences of the citizens they serve;</li> <li>• there is no ‘best’ model - analysis of operating models for service delivery in other jurisdictions are based on a marriage of political leadership and accountability and efficient and effective service delivery to meet local need</li> <li>• the following recommended options be taken forward for consideration as part of Phase II detailed Economic Appraisal.</li> <li>• <b>Option 1</b> – Do Nothing (baseline position)</li> <li>• <b>Option 2</b> – Do Minimum (transition)</li> <li>• <b>Option 3</b> – Transformation within council functional areas</li> <li>• <b>Option 4</b> – Transformation across council functional areas</li> <li>• <b>Option 5</b> – As Option 4 but with an exploration of functions which could be delivered on a shared services basis</li> <li>• <b>Option 6</b> – Option 4 with the addition of a regional support organisation operating on behalf of local government delivering a range of shared services, within or apart from a LGA</li> </ul> <p>PwC are scheduled to report back on Phase II by the end of August 2009.</p>

2.9	<b><u>Transition Committee workshop on Planning and Programme Management for the Reform Programme</u></b>
2.9.1	The Department of the Environment and the Northern Ireland Local Government Association (NILGA) recently appointed PA Consulting Services Ltd. to act as a strategic advisor on planning and programme management for the RPA Reform Programme.
2.9.2	As part of this process PA Consulting are keen to seek the views of Transition Committees in regards to the effectiveness of the programme management procedures and a workshop has been arranged for Monday 10 <sup>th</sup> August with representatives from each of the 11 Transition Committees.
2.9.3	Accordingly, Members are asked to approve the attendance of the Chair and Deputy Chair (or that of a nominee) of the Strategic Policy and Resources Committee and the Director of Improvement (or a nominee) to this workshop.

### **3.0 Resource Implications**

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

### **4.0 Recommendations**

Members are asked to:

- a) note the contents of this report and, in particular, that the RPA Workshop for Members of the Council's Strategic Policy and Resources Committee has been confirmed for 17<sup>th</sup> August, 10am in Malone House;
- b) consider the request from the Chair of the RPA Community Planning Sub-Group and approve, in principle, the issuing of a letter of support for the submission of a a community planning funding bid to SEUPB subject to further consultation and agreement with the Council on the detail of the submission; and
- c) approve the attendance of the Chair, Vice-Chair (or that of a nominee) and the Director of Improvement (or a nominee) to the scheduled RPA programme management Workshop scheduled for 10<sup>th</sup> August.

### **5.0 Appendices**

**Appendix 1:** RPA Legislative Timetable

**Appendix 2:** Local Government (Finance) Bill

**Appendix 3:** Request for support for submission of Community Planning funding bid to SEUPB

**Appendix 4:** HR Local Government Joint Forum Communications Bulletin

**Appendix 5:** PwC Phase I Report – Executive Summary