



Belfast City Council

Report to:	Strategic Policy and Resources Committee
Subject:	Local Government and Planning Reform
Date:	10 th December 2010
Reporting Officer:	Peter McNaney, Chief Executive
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1.0	<u>Relevant Background Information</u>
1.1	Members will recall that discussions in relation to the future of the Review of Public Administration and reform of local government had concluded on Monday 14 th June with the NI executive not having agreed on the way forward. Subsequently, it was agreed that elections would proceed for twenty-six, and not eleven, councils in 2011 as originally planned as part of the local government reform programme.
2.0	<u>Key Issues</u>
2.1	On 30 th November 2010 the Environment Minister, Edwin Poots made an announcement to the NI Assembly setting out proposals to progress particular aspects of Local Government reform and the reform of the Planning Service within Northern Ireland. A copy of the Ministerial announcement is attached at Annex 1 , with a summary of the key proposals set out below.
	Local Government Reform
2.2	As part of his announcement to the Assembly, the Environment Minister launched a consultation document (a copy of which is attached at Annex 2) which sets out policy proposals for local government reform, which seeks to modernise the governance and legal framework within which district councils operate. It is intended that such proposals will, in due course, be translated into a draft Bill (previously known as the Local Government Reorganisation Bill) to be considered by the NI Assembly.
2.3	<p>The consultation document sets out proposals and seeks views on eight key areas including:</p> <ol style="list-style-type: none">1. New governance arrangements –proposals in regards to decision making structures; sharing power and responsibility; putting in place necessary checks and balances (including proposals to introduce a call-in procedure) and ensuring that there is openness and transparency in how councils conduct their business.2. Ethical Standards –proposals for a new ethical standards regime for local government which would include a mandatory code of conduct for councillors with supporting mechanisms for the investigation and adjudication of appeals.3. Service Delivery and Performance Improvement - proposals for the introduction of a new service delivery and performance improvement framework for local government. This would involve a revised, more expansive statutory duty for councils to secure best value and to continuously improve services.4. Community Planning – proposals to bring forward a statute based community planning process, led and facilitated by the new councils.5. Power of Well-Being – proposals to confer to councils a new power of well-being which would enable councils to take any action that is not already the responsibility of another agency, to promote or improve the well being of their districts. It is suggested that such a duty would further support the community planning role of councils.

	<p>6. Partnership Panel – proposals to formalise the relationships between the Executive and district councils and provide a forum to consider strategic issues collectively. It is proposed that the Panel will consist of Departmental Ministers and representatives from each of the 11 new councils.</p> <p>7. Supervision of Councils – proposals to extend the supervision powers currently available to the DOE to all Government Departments.</p> <p>8. Reorganisation of District Councils – seeks views on how key elements of the reorganisation of district councils (e.g. transfer of staff, transfer of assets and liabilities etc) should be progressed.</p>
	<p>Planning Reform</p>
2.4	<p>The Environment Minister’s announcement to the Assembly also set out proposals in respect to the reform of the Planning Service within Northern Ireland. The key proposals include:</p> <ol style="list-style-type: none"> 1. On the 1st April 2011, Planning Service functions and staff will have been absorbed into the core of DOE and the Planning Service’s status as an Agency will end. 2. These functions will be taken forward by two divisions i.e. <ul style="list-style-type: none"> ▪ Local Planning Operations Division which will have responsibility for the Development Plan and Development Management functions which will in time transfer to local government ▪ Strategic Planning Operations Division which will take forward the responsibilities which will remain with the Department. 3. The existing six Divisional Planning Offices will be streamlined to five Area Planning Offices based around amalgamations of the proposed 11 council cluster model (see Annex 3 for a map of the proposed new 5 Divisional Planning Offices). Members will note that under these proposals, the new Belfast Area Planning Office will comprise of 3 of the proposed 11 new council areas including the local government districts of Belfast, Lisburn, Castlereagh, North Down and Ards. The current Belfast Divisional Office covers the areas of Belfast, Castlereagh and Newtownabbey. 4. Introduce a scheme of delegation (still to be published) whereby certain planning decisions would be delegated from the Minister to the Department. 5. Outlined proposals in regards to reforming the Planning Service’s fees regime. 6. Announced the intention to progress with a small number of pilot initiatives from April 2011 to test the working arrangements for the delivery of planning functions by the new councils before they are rolled out across the new council areas.
2.5	<p>It is understood that a detailed Planning Bill will be introduced to the Assembly within the new few weeks for consideration. It is further understood that the Planning Bill will provide for the transfer of development plan and development management powers from the Department to councils within a timetable still to be agreed by the NI Executive.</p>
2.6	<p>Clearly such proposals are far-reaching and are likely to have a significant impact upon the future operation and service delivery by the Council. It will take time to consider the proposals (including any Planning Bill released) in detail and the potential implications for the Council and wider local government sector. It is intended that officers, in liaison with elected Members and Party Groups, will undertake a review of the proposals and will submit a detailed report for the consideration of the Council’s Strategic Policy and Resources Committee in the New Year.</p>
2.7	<p>In the interim, Members may wish to review the proposals put forward by the Environment Minister (as set out in Annex 2) with a view to identifying any initial issues/ concerns which they may have so as to inform any future consideration of this matter by the SP&R Committee.</p>

2.8	Members may also wish to discuss any pertinent issues with the Environment Minister when a cross-party delegation from the Council meets with the Minister in due course (a date is still to be confirmed), in line with a previous decision taken by the Committee. Detailed briefings will be provided to Members in advance of such Ministerial meetings.
2.9	The proposal put forward by the Environment Minister to initiate a small number of pilots is in line with the views previously expressed by the Committee, at its meeting on 22 nd October 2010, at which it was agreed that the Council should advocate for the initiation of an integrated area-based pilot for Belfast. It is suggested that such a pilot should be broader than only Planning and include, for example, regeneration and linked to a wider community planning approach.

3.0 Resource Implications

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

4.0 Equality and Good Relations Implications

There are no Equality of Good Relations implications contained within this report

5.0 Recommendations

Members are asked to:

- i) note the contents of this report and, in particular, the proposals set out by the Environment Minister in relation to Local Government Reform and the reform of the Planning Service; and
- ii) note that a detailed report will be submitted for the future consideration of the SP&R Committee in relation to the reform proposals and the proposals for area based planning pilots.

6.0 Documents Attached

Appendix 1	Environment Minister's announcement to NI Assembly
Appendix 2	Local Government Reform Policy Proposals
Appendix 3	Proposed structure for new Planning Service Divisional Offices