



Subject:	NILGA Consultation – “Devolution within Northern Ireland”
Date:	19 October 2018
Reporting Officer	John Walsh, City Solicitor
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Restricted Reports	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Some time in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

Call-in	
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

1.0	Purpose of Report
1.1	The purpose of this report is to: <ul style="list-style-type: none"> seek approval from the Strategic Policy and Resources Committee for the draft response to the NILGA Consultation paper “Devolution within Northern Ireland”.
2.0	Recommendations
2.1	It is recommended that Committee: <ul style="list-style-type: none"> notes and reviews the attached New Policy Institute (NPI) Report by NILGA at Appendix 1 notes the list of neighbourhood services at Appendix 2 notes the illustrative timeline at Appendix 3 approves the draft council response at Appendix 4 subject to any amendments

3.0	Main Report
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3.1	The Northern Ireland Local Government Association (NILGA) has commissioned and published a “Devolution within Northern Ireland” report completed by the New Policy Institute (NPI).
3.2	This evidence based report, drawing on direct communication with all strands of government and wider society, together with policy and data benchmarking across all neighbouring jurisdictions, is provided to the Council for corporate comment by 26 October 2018 (deadline extended by one month from previous deadline of 28 September).
3.3	<p>The purpose of the consultation is twofold:</p> <ul style="list-style-type: none"> i) to inform the existing and future legislative and resource actions to enhance the role of Councils in Northern Ireland ii) to take actions with partners in government and more widely to strengthen the sustainability and value of local government in Northern Ireland
3.4	NILGA have indicated that they will reconvene with all councils, individually and collectively, in the first quarter of 2019 in terms of a Regional Policy Framework, which will be a vital tool for the new councils beyond May 2019.
3.5	Neighbourhood services refers not to any geographic provision of services but to the overall range of different services traditionally provided by local authorities across the entire district (i.e. water safety, food safety, waste collection, waste disposal, etc.).
3.6	A list of these neighbourhood services is contained within the attached NPI report and has been separately listed at Appendix 2 to this report.
3.7	<p><u>Corporate response</u></p> <p>An initial draft corporate response was prepared for the SP&R meeting of 21 September.</p>
3.8	Prior to the meeting NILGA advised councils of their decision to extend the deadline by one month to 26 October. The Committee decided to defer the paper to allow Members more time to consider the consultation and recommended that officers provide an updated corporate response to the October SP&R meeting.
3.9	Meetings with individual party groups has shown that there may be differences of opinions in terms of the transfer of specific functions such as social regeneration, housing functions and highways and transportation. Rather than addressing these differences in our corporate

response, it may be more appropriate that individual political parties provide their own response to NILGA on those issues for which an agreed council position may not be possible.

3.10

Officers have prepared an amended draft corporate response to the NPI report (Appendix 4) taking into consideration the input received over the past few weeks. In summary the main points of the draft corporate response are as follows:

- That the Council agrees overall with the principles contained within the NPI report 'Devolution within Northern Ireland' and is supportive of the general conclusions and next steps as set out within the report.
- That the devolution of **neighbourhood services** will allow for a more responsive approach to communities' needs and aspirations. Councils have a greater understanding and engagement with their local communities enabling the tailoring of services, improved decision-making and the delivery of local outcomes.
- That Councils **review those neighbourhood services listed in Appendix 2 where responsibility for delivery is either i) shared between local government and the NICS or ii) where responsibility is unclear**. Any case for devolution of specific services should be based on greater resource, clarity of purpose and should complement the **outcomes based approach** set out within the community plan. **A scoping exercise should be undertaken to ascertain which powers should be devolved.**
- In addition to the devolution of neighbourhood services, the Council would also wish to stress the importance of the transfer of key **regeneration functions** during phase 2 of any devolution of powers to local government.

3.11

The Council would also recommend that responsibility for the delivery of **employability and skills** initiatives may be further devolved from Departments to local government. While there is a range of activity taking place across Belfast, the pervasive challenges of long-term unemployment and economic inactivity have not been addressed in any real way. The Council would wish to explore how we can work with partners to use the information we have to plan better around skills needs and training provision to meet these needs with the objective of supporting **inclusive economic growth**.

3.12

That there may be a need to **fundamentally review local government finance** if a high degree of devolution was secured. In any case, the Council would seek assurances that the level of financial resources made available for devolution to NI councils was not only cost neutral at the point of transfer but also that councils would be indemnified against any potential future shortfall in funding through an extension of the "**New Burdens Doctrine**".

3.13	<p>Consideration should be given to the devolution of greater powers in the context of City based local authorities and unitary or quasi-unitary status. A longer-term transition plan would be required in relation to these types of authorities.</p> <p>Clearly there will be a role for NILGA in helping to develop political awareness and supporting political engagement/negotiation with central government and NI Executive regarding any future proposals for the devolution of powers in terms of ensuring that they fit-for-purpose and adequately resourced. It is important to recognise, however, that the primacy rests with local government and councils to lead this process with the support and advice of professional officers.</p> <p><u>Financial & Resource Implications</u></p> <p>None</p> <p><u>Equality or Good Relations Implications/ Rural Needs Assessment</u></p> <p>None</p>
4.0	Appendices - Documents attached
4.1	<p>Appendix 1 – NPI Report – Devolution within Northern Ireland</p> <p>Appendix 2 – List of neighbourhood services</p> <p>Appendix 3 – Illustrative timeline</p> <p>Appendix 4 – Draft corporate response to the consultation document</p>